

DEALING WITH GRIEVANCES: THE LATINO EXPERIENCE IN PITTSBURGH, PENNSYLVANIA

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PENNSYLVANIA**

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University of Pittsburgh, 2012

This dissertation examines how Latino immigrants in Pittsburgh, PA deal with their grievances. My central argument is that Latinos in Pittsburgh frame their grievance experiences through hybrid normative systems which are constructed from both the knowledge and experience about legal and social norms that they bring from their countries of origin, as well as from the specific experiences, flows of information, knowledge and perceptions accessible to them about the receiving legal culture. Given the limited availability of formal structures set in place to accommodate incoming migrants, Latinos form their understandings of the American social and legal culture from their own first-hand experiences, along with the information advanced to them by their personal support networks. These networks provide migrants with information, second-hand experience and support, and thus in many cases become pivotal support structures in a place where Latinos tend to perceive themselves as existing on the peripheries of a dominant culture. Not surprisingly, some of the norms that are ultimately adopted into the hybrid legal systems serve as protective mechanisms for these support networks, discouraging grievance processing mechanisms that could hurt these personal relationships or that could create future problems within them.

Data on decision-making about how to pursue grievances were gathered from twenty in-depth interviews with Latinos from North, Central and South America, observation of on-going disputes and 199 memory cases that were collected. Informants for the interviews were chosen

from a fairly representative list of Latinos in the Pittsburgh area: six of the interviewees were purposively sampled as spouses of American citizens and 14 were chosen by stratified purposive sampling according to type of occupation (“blue” or “white” collar). The data gathered from these interviews were both qualitatively and quantitatively analyzed. This project is significant because, theoretically, it proposes changing hybridization as an alternative way of characterizing the transnational experience, particularly as it relates to the experience of legal and social norms. In so doing, the project also makes applied contributions by revealing the importance of differentiated but comprehensive entry level education to immigrants about the cultural and normative expectations that they face living in the United States.

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DEDICATION

To the loves of my life,
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0.0 INTRODUCTION

0.1 RESEARCH PROBLEM

When we begin to look at mobile people we note the complexities introduced to the study of pluralism when the actors are migrants. First of all, if migrants remain citizens of their homeland they may be governed by the rights and restrictions of that homeland in regard to a variety of practices such as marriage, divorce, child custody and the inheritance of property. Secondly, *incoming populations bring within them different modes of family, social welfare, gender relations and means of organizing claims and rights*. Whether or not they maintain citizenship in their homeland or obtain citizenship in the new land, they may live in the new land within a system of customary law.(Glick Schiller 2005:28, italics not in original)

This dissertation examines the grievance processing mechanisms used by Latino¹ immigrants² to Pittsburgh. These Latino migrants make little use of legal services and often resort to alternative mechanisms, partly due to an incomplete understanding of the local culture in general, and its normative system and legal institutions in particular. When they first arrive in the United States, Latinos rarely receive any education about the American normative system or institutions; they rarely are instructed about the cultural expectations they will face in terms of behavior, how to

¹ For the purposes of this dissertation only Latinos from Spanish-speaking countries are considered.

² Unless otherwise stated, throughout this dissertation, the word “immigrant” is used to refer to a person who has first been in the U.S. by crossing an international border as a citizen from another country. This differs from the use of the U.S. government which opposes “immigrant” to “non-immigrant” aliens.

handle conflicts, their rights, the normative system or legal institutions. Partially as a result of this most Latino migrants (regardless of their level of education or legal status) perceive themselves as existing, at least in certain domains, on the peripheries of a dominant culture. To make up for this perception and the unmet need that causes it, Latinos turn to their personal support networks, which informally educate them about the culture in which they are now living. These networks then either reinforce prejudices about American³ culture, regardless of their validity, or slowly change and re-educate Latinos about the new culture and system in which they now live. The result of this process is a hybrid legal space comprised of the legal and social norms that Latinos formerly employed to deal with grievances, the resources that they find available while in the United States, and the new system in which they find themselves immersed. This hybrid legal space is thus constructed from the resources, experiences, flows of information, knowledge and perceptions available to them about the receiving legal and social culture, as well as from their previous home culture. Its existence, and how it is lived by Latinos in the Pittsburgh area, will also be the central argument of this dissertation.

The effect that migration can have on reshaping normative understandings has been stressed by Monique Nuijten, who worked with migrants to the United States from a rural village in Western Mexico. She argues that “by moving in and out of different social and political fields, migrants are actively implicated in the construction of new normative frameworks and cultural expressions” (2005:51). This dissertation will build upon this idea, focusing on the ways in which this new normative framework is built by Latino migrants while in the United States rather than in Mexico, which is Nuijten’s main focus. Distancing myself from her, but building on her own finding that normative systems can be fluid, I refrain from conceptualizing the

³ For convenience, throughout this dissertation the term “American” is used in the way it is commonly used in the United States of America, that is, pertaining people or things that are from that country.

“American” system or the “Mexican” (or any other Latin American) system as clearly bounded and defined; instead, I understand that each individual’s normative frameworks need to be reconstructed rather than taken as a given, as the experiences of any one normative system are multiple and varied across individuals. This means that experiences at the home countries will be quite varied, even across migrants from the same country, and that they also vary broadly in the United States. As it will be later explained, the latter rings particularly true in the case of Latinos who migrate to a new growth area such as Pittsburgh, where the Latino community is yet to establish itself fully and therefore does not provide a homogenized experience to incoming migrants.

By doing research with Latinos in a new growth area, this project taps into the ways in which the construction of hybrid legal spaces is part of the Latinos’ construction of an identity not only as individuals, but also as a community that is trying to define itself. Each migrant shapes an individual notion about the normative expectations and resources available when aggrieved, and does so by bringing together understandings and experiences (both in the new locale and in the place of origin), as well as the information about the different normative systems that flows through personal networks. All these brought together form notions that are hybrid and fluid, and that will then continue feeding the personal normative frameworks of the migrants’ acquaintances, as well as some of the collective notions that could gain strength among sectors of their Latino community.

In the process of questioning about the resources made available to Latinos when dealing with grievances while living in the Pittsburgh area, this dissertation will start by providing the context within which grievances are experienced by Latinos in Pittsburgh; in particular, it will look at some of the already existing ideas about the American normative context and its

institutions that Latinos already have, as they are shaped by their experiences with formal institutions such as the police, lawyers and the courts. A theoretical context will also be provided by revisiting the very idea of grievance and how it is traditionally understood, under the awareness that the context of migration calls for new definitions; in particular, a theoretical understanding of grievance that can address the structural positioning of migrants and its impact on grievances such as discrimination is suggested. Under this contextual frame the actual experience of grievances by Latinos in Pittsburgh is then explored by analyzing some of the aggrieving situations that these individuals have experienced: the normative systems that frame for them the experience of grievance, as well as the resources that they consider available to them and make use of to process those grievances. Given their importance both in processing grievances and in shaping the hybrid normative systems that individuals use when dealing with them, Latinos' personal networks and their role in the processing of grievances and the construction of hybrid legal spaces will also be analyzed.

0.2 PRELIMINARY PREPARATIONS AND FIELDWORK IN PITTSBURGH

In order to assess the ways in which Latino immigrants to the Greater Pittsburgh area understand grievances and the resources that they have available and use when dealing with them, data was collected during two and a half years of fieldwork from May 2007 to December 2009. During these years of fieldwork I actively engaged in participant observation and semi-structured interviews as my primary ethnographic methods. In addition to this time of formal fieldwork, I have lived in the Greater Pittsburgh region since I arrived as a foreign student in August 2004. It was in the earlier years of my residence in the region that I first learned about the budding Latino

community, particularly through volunteering. By May 2007, when I formally started with fieldwork, I had already established several contacts within the community and was actively participating in one grassroots organization. Although it is hard to draw a line between preliminary work and actual fieldwork, it was during the summer of 2007 that I started approaching the Latino community in a structured manner, with defined research questions and a methodology to answer them.

0.2.1 Fieldwork: observing, participating, being strategic

The goal of observing and recording grievances in the Latino community in the Greater Pittsburgh area created certain challenges. The main challenge was the very nature of the Latino community, which is well spread throughout the region. This made it close to impossible to adequately establish routines or schedules of “observation” that could lead to meaningful recordings, at least in terms of grievances. As a consequence, participant observation demanded a more strategic approach to when and where to dedicate fieldwork time. To overcome this, I focused my participation and observation to spaces where Latino grievances (in different stages of their processes) could be observed.

Two approaches were considered for this. One approach was to find spaces where *grievances* are usually aired (such as the court, police, etc.) and wait for Latinos to participate in these forums. The other was to find spaces where *Latinos* traditionally participate, and look in those for the expression of grievances. The first option was found unfitting: at that time, meetings were being held between Latinos and the police department to address some conflicts that were being presented by the community, and it became clear from these encounters that

Latinos were seldom asking for police services. As for the courts, in order to assess the feasibility of setting them as observation spaces two visits were completed to the section where PFAs (Protection From Abuse orders) are processed. This site was chosen because it was one of the few that, at the time, I knew Latinos had used. However, I soon learned that the use of this service by Latinos was minimal, which made it ineffective to schedule observations in this place waiting for Latinos to show up. In addition to this, there was the theoretical issue that my gaze was, after all, focusing on Latinos and *their* ways of processing grievances. At this early stage it was impossible to know which ways were these, and therefore, where to look for them. For these reasons, the second approach was preferred: I identified spaces where Latinos commonly participated, giving some priority to those where grievances would be more likely to arise. As a result of this I became a member of and fully participated in one grassroots organization (a support group for pregnant Latino women in the region), did volunteer work for two other organizations (both offering social services to Latinos), actively participated in the creation of a Latino Family Center, attended meetings of a local group engaged in seeking migratory reform and improving the relations between the Latino community and the local police, and in general participated in local events targeting the Latino community. This provided me with ample opportunity to observe Latinos as they dealt with some of their grievances.

The main drawback of this approach was that it only allowed me to get a glimpse of the specific grievances that Latinos themselves had decided to make public by either bringing them to a public forum or by seeking help in one of the different organizations in which I worked. The experience of less public grievances, those that sometimes circulate in social circles but are not necessarily made public in the forums mentioned above, provided me with an additional challenge. My approach in this regard was to additionally participate actively in the social life of

Latinos in their everyday lives, with the expectation of finding a window to this other layer of grievances that the more public arena wouldn't offer. As a result, I also actively engaged in smaller more mundane events ranging from birthday parties to picnics, to playdates and weekly cooking meetings.

The observation and participation described above provided me with first and second-hand experience of numerous instances of Latino grievances in the Pittsburgh area. Some of these, however, were not recorded as data for this project due to explicit commitments not to do so. In two of the organizations for which I worked privacy policies were interpreted as not allowing the disclosure of details known through work with them for research purposes; in one case in which I offered translation services to a Latina during a mediation at a PFA process I did not receive consent to use the case for my research; in some other instances the demands of the volunteer work impeded me from gathering all the information that would've been needed to properly record the cases for my research. Nonetheless, the knowledge from all of these instances has been of the utmost importance for this project. On the one hand, many of the ideas that are later developed in the analysis sections are in part the result of the whole breadth of knowledge about this community and its grievances as I have experienced them. Although these ideas are supported by the data in the cases later described, I believe that they would not have been as roundly conceived as they were without the input of these participatory stages. On the other hand, I have used my knowledge from those unrecorded cases to weigh the results that I later found on the recorded cases. In particular, I have made a conscious effort to assess whether the picture offered by the recorded cases is inclusive of all my other observations as well, or whether there is something missing. With the exception of one very specific type of case that was only superficially mentioned in the recorded cases but that I had learned about through my

participant observation,⁴ I feel confident that both bodies of knowledge provide a similar picture of the Latino experience.

As part of my fieldwork in Pittsburgh, I also formally interviewed local residents, both Latinos and not, who in one way or another have been involved with the Latino community. Interviewees include local community leaders, local government officials, attorneys, doctors, and volunteers, as well as members of the community who come from a wide variety of backgrounds and circumstances. Most of the interviews were conducted in Spanish, except for some with local government officials and service providers which were conducted in English. All the translations in this dissertation are mine.

0.2.2 In-depth interviews: building a database of grievances

Given the focus on grievances faced by Latinos in the Greater Pittsburgh area, cases of such grievances were collected and compiled in a database that became the main corpus of research for this project. This database was built from the participant observation described above, as well as from twenty in-depth interviews. Informants for these in-depth interviews were chosen from a list of Latinos in the Pittsburgh area that had been built from a few existing lists of Latinos held by different individuals and institutions, and from a snowball collection of names. The building of this list was challenging: many Latinos in the region cannot be found in existing databases due to their marginal status, and the few lists that actually exist are not easy to find. While snowballing overcomes some of these issues, it does not allow including individuals who are

⁴ This is the case of young males who have sex with minors, usually not fully understanding the extent of the local regulation on this matter. I learned about this problem occurring on multiple occasions, but none of the cases of the database involve this situation.

particularly isolated. Despite all attempts, it is likely that the sample is biased against those individuals, with the main problem in solving this and any other bias intrinsic to the sample being that there is no clear knowledge of the actual composition of the Latino community in the Greater Pittsburgh area.⁵

The next step was to select the twenty interviewees from this base list. The project was concerned with the experience of grievances across the broad spectrum of Latinos that exist in the Greater Pittsburgh area. As such, it was important to select interviewees that represented different migratory experiences, and that had lived in the region long enough to accumulate general experience. With this in mind, fourteen interviewees were chosen by stratified purposive sampling of two strata according to type of occupation: “blue” or “white” collar, also considering sex to get a balanced sample and filtered to keep only people who had lived in the Pittsburgh area for at least two years.⁶ This decision was made based on observation of the clear existence of at least these two different types of Latinos in the region, as well as on literature about the different patterns of transnational migration that these two groups represent. People holding blue collar jobs tend to follow a pattern of low skilled migration, which is more heavily dependent on community ties; for this project, it was interesting to see how these ties played (or not) in the experience of grievances. On the other hand, Latinos holding white collar jobs tend to follow patterns of migration that are less reliant on community networks (Gaillard and Gaillard 1998; Meyer 2001; Poros 2001), and as such provide a different set of resources to them. In addition to these fourteen interviewees, six individuals were purposely sampled due to their status as spouses of American citizens. This was decided as this group of migrants was underrepresented

⁵ Attempts were made to access the most recent and detailed information available from the Census bureau on this particular community. Unfortunately, I was informed that the data for this particular population (Latinos in Allegheny County) could not be found to any level of detail due to its small size.

⁶ When people refused to be interviewed, a new individual was sampled from the same category.

Table 1: Interviewees - ethnographic data

Category	Legal status: ^a <i>At entry ► Current</i>	Higher level of Education	Income: ^b Personal (family)	Years in U.S.A.	Region of origin ^c	Age	Gender
“white-collar”	<i>Visa (NI) ► U.S. citizen</i>	Graduate	e (f)	16	South Am.	33	M
			d (f)	7	Central Am.	32	F
	<i>Visa (NI) ► Visa (I)</i>	High school	b (c)	5	South Am.	35	F
		College	a (b)	2.5	South Am.	31	F
	<i>Visa (NI) ► Visa (NI)</i>	Graduate	f (f)	11	South Am.	35	M
		College	a (b)	3.5	South Am.	30	F
“blue-collar”	<i>Visa (NI) ► LPR</i>	Other	c (-)	3.5	South Am.	30	M
	<i>Visa (NI) ► College</i>	College	c (-)	3.5	South Am.	30	M
	<i>Undoc. ► LPR</i>	Some secondary	a (a)	7	South Am.	39	F
	<i>Undoc. ► Visa (I)</i>	Some secondary	a (a)	15	Central Am.	30	M
	<i>Visa (NI) ► Overstay</i>	High school	a (b)	7	Central Am.	41	F
	<i>Undoc. ► Undoc.</i>	Some secondary	a (-)	8	South Am.	36	M
Spouse of U.S. citizen	<i>Visa (NI) ► U.S. citizen</i>	Some secondary	a (a)	4	Central Am.	21	M
		High school	a (b)	3	Central Am.	32	F
	<i>Visa (I) ► LPR</i>	Primary	b (-)	12	Central Am.	45	M
		College	a (c)	31	South Am.	44	M
	<i>Visa (NI) ► LPR</i>	College	a (b)	5	South Am.	35	F
	<i>Undoc. ► LPR</i>	High school	b (d)	10	Caribbean	44	M
Spouse of U.S. citizen	<i>Visa (NI) ► LPR</i>	High school	b (b)	8	South Am.	50	F
	<i>Undoc. ► LPR</i>	High school	e (f)	13	Central Am.	28	M
	<i>Visa (NI) ► Visa (I)</i>	High school	b (c)	2	South Am.	40	F

^a LPR: legal permanent resident; Visa (I): Immigrant visa (family sponsored, employer sponsored or special immigrants); Visa (NI): Non-immigrant visa (tourist, student, researcher, worker, and others).

^b (a): <\$20,000; (b): between \$20,000 and \$40,000; (c): between \$40,000 and \$60,000; (d): between \$60,000 and \$80,000; (e): between \$80,000 and \$100,000; (f): >\$100,000.

^c In order to protect the identity of some of the informants, region of origin (rather than country) is reported for the Caribbean and Central (including Mexico here) and South America.

in the base list,⁷ but nonetheless offered a group of people who are simultaneously legally in the U.S., unconnected with the Latino community and quite vulnerable due to their dependence on the spouse to maintain legal status. Table 1 offers a summary of the basic ethnographic characteristics of the twenty individuals interviewed, organized by category.

The interviews consisted of two components. The first traced the personal support networks of the individuals following the Arizona Social Support Interview Scale (Barrera 1980). A complete list was completed with all the people identified as offering material aid, physical assistance, intimate interaction, guidance, feedback, or a circle for social participation along with some basic information about them and whether they had been sought for support recently. In the second component, individuals were asked broadly about “problems” they have had while living in Pittsburgh, focusing on the following categories: domestic conflicts, debts, discrimination, and problems “with the law”. These categories were chosen as they have been explicitly identified by scholars as spaces for alternative understandings of norms in the Latino communities they have studied (Rosaldo and Flores 1997; Nuijten 2005). The specific problems identified within each type, as well as the questions asked for each, were adapted from the interview schedules used by Ewick and Silbey for their study of everyday legal experience in New Jersey (1998). For each “problem” case, from both the interviews and ongoing cases, the following information was collected when possible: (1) actors involved; (2) history of this particular problem; (3) the individual’s perception of the facts, as well as of (4) the rights and obligations that were at stake and (5) the sources of those rights and obligations; (6) chronology of decisions taken by all parts regarding processing of the dispute, including for each step: (a)

⁷ As it will be discussed in the body of this dissertation, spouses of American citizens tend to have personal networks that are smaller and with relatively more Americans than Latinos. Since the base list was built from existing listings and snowballing with Latinos, this could explain the underrepresentation.

options considered viable, (b) action actually taken, (c) rationale for choosing this action over others, (d) sources of support used to make this decision, (e) dispositions made by the third party, if any, and (f) actions or dispositions taken afterwards related with this case. For a complete copy of the interview schedule, refer to Appendix A.

0.2.3 Data Analysis

Data from the interviews were recorded in digital audio when possible⁸ and as notes on pre-designed schedules. All of the audio files were coded thematically using Atlas.ti software, version 6.1.1. The codes included basic information on the type of grievances being discussed (debt, discrimination, domestic, legal, or other), support sought (family, friends, attorney, service providers, or other), perceptions about the American or Latin American culture or legal systems, experiences with legal institutions (police, courts and attorneys were coded separately), and certain topics that were found as being repeated across the interviews, in particular: alcohol, gossip, church, fear, friendship, language, loneliness, money, race, trust and work. The different stages of grievance processing were also coded, in particular (1) the rights and obligations identified, (2) viable options recognized for the processing of the grievance, and (3) the rationale for action. All field notes were also included in the same hermeneutic unit in Atlas.ti and so coded. The interviews and notes were then analyzed by noting prominent issues, as well as circumstances that could be related with the appearance of a certain theme / code.

In order to assess the possible relationships between the sampling categories (white-collar migrant, blue-collar migrant, or spouse of American citizen) and personal circumstances (gender,

⁸ The sections on the construction of the support networks of all the interviews were not recorded in order to protect third parties' privacy. On two occasions interviewees requested me to stop the recorder.

education, income, legal status) with the types of grievances faced, the decisions taken regarding such grievances, and the support system available, quantitative analysis was performed. This was achieved by building a grievances database from all the cases collected during fieldwork. The resulting database, originally built as an Excel file and then transferred to SPSS after transformations for later analysis,⁹ had a total of 199 grievance cases. In this database each grievance was a row entry and contained as variables, in separate columns, all the demographic information of the person eliciting the case, the type of grievance, information about the other part, procedural modes chosen, support sought and outcome. Most of the analysis of this database consisted of basic bivariate analysis using SPSS. For the specific purpose of identifying broad trends within the grievances cases, cluster analysis was also performed using SPSS as well. A detailed explanation of this analysis and some methodological considerations are found in section 4.1.

It should be noted that despite all efforts the data that could be collected for this project are necessarily biased. Bias in qualitative research has been widely discussed, along with the impact it has on the reached results. Denzin (1989), for instance, argues that the researcher is always a part of qualitative research, and a central element of it. Rather than eliminating bias, qualitative researchers have often strived to recognize it and include it as part of their analysis (Becker 1967; Geertz 1973; Gitlin, Siegel et al. 1989). In some cases, scholars have gone as far as to suggest that bias might be a desired element of research in the social sciences (Gitlin, Siegel et al. 1989). In this work I do not align with the latter group, in the sense that I have done as much as possible to reduce bias when doable, but do recognize the role that bias has in

⁹ The original database was structured with values for the variables being categories. For later analysis these categories were transformed into binary data by adding columns for each category. For example, while in the original database the variable for gender was filled as “male” or “female,” in the transformed version it was converted into two variables, “female” and “male,” with each being filled as 1 or 0 for true or false respectively.

qualitative research and the importance of acknowledging and incorporating it in the analysis. Some of the biases of this research were already mentioned above, as they come from the way in which the base list of Latinos was built: while it attempted to include as many people as possible by using multiple listings and snowballing, it necessarily leaves out particularly marginal Latinos.¹⁰ Another issue that necessarily creates a bias is self-selection error: people who were interviewed necessarily had to agree to it, and I did meet with some people who refused to participate. Participants also have the possibility of choosing what to share, or not, with me, and are limited by their recollections.¹¹ Although not generalizable or representative of the whole population, it is my expectation that the final sample does speak about the categories that were identified and the part of the population that they represent. The participant observation experience was crucial in helping assess the potential biases of the grievances database and the results of its analysis. Due to the urban focus in the project, individuals who are quite isolated such as agricultural workers are not represented in this project, as well as recent arrivals to the area.

0.3 OUTLINE OF THE DISSERTATION

This dissertation illustrates the experience of being aggrieved and grievance processing for Latinos in the Greater Pittsburgh area. This is accomplished in six chapters, including this introduction and a concluding chapter. In the first chapter I discuss the main theoretical

¹⁰ Given the very small size of the Latino population in the Pittsburgh area, doing research among it faces similar constraints as research done with rare, or hard to sample, populations. In these situations, researchers have found that using multiple lists and snowballing can help sampling while maintaining research costs low. However, they are not perfect and cannot eliminate bias completely (Kalton and Anderson 1986; Faugier and Sargeant 1997).

¹¹ For an in depth discussion of inherent problems with the interview as a method, see Nunkoosing (2005).

antecedents to this project. I divide this chapter in two. The first section considers antecedents from legal anthropology, underscoring the lines of thought that allow for broad understandings of law, and that therefore allow for the identification of legal spaces that are not exclusively those delimited by the state. After all, this project claims about the creation of hybrid legal spaces by Latino migrants, spaces that are real and binding, and that certainly are more meaningful to the individuals in everyday life than a central legal system. The most common understandings in legal anthropology would not allow for the presence (or relevance) of such constructions, so it is important to provide a framework in which the practice of law as an everyday endeavor can be understood. The second section in this chapter provides an overview of the literature on transnational migration, as it helps explain the experience of Latinos in the Greater Pittsburgh area. In particular this section will explain the concept of hybridity as it has been used to explain the liminal space inhabited by transnational migrants. This concept in this dissertation is key for understanding how the legal spaces that are alternatively used by migrants as law are constructed.

The second chapter will turn the gaze to Latinos, and Latinos in the Greater Pittsburgh area in particular. In this chapter literature concerning Latinos is discussed, especially as it relates to the Latino population living in the Greater Pittsburgh area. One important question that is answered in this chapter refers to the validity of using the Latino label for research purposes. The Latino label is a very complex one, as it attempts to bring together individuals who are diametrically different. However, building from Padilla (1985) I argue that the experience of transnational migration to a common place produces a series of shared experiences that allow for a meaningful understanding of Latinos as a community. This rings particularly true in a new growth area such as the Greater Pittsburgh region. Being a place where Latinos, although quickly

growing, are still a very small portion of the population, this region still offers few services that cater directly to the necessities of this sector of the population. In this chapter I discuss how this situation in fact creates shared experiences across the heterogeneous community that Latinos comprise, and explore the formation of community in the area and the perceptions that Latinos have about themselves as a community.

The third chapter looks at the *context* within which Latinos frame their experiences of grievances. The chapter starts with a section on the Latino experience of the American system, offering a broad look at the different ways in which Latinos engage with the official, American central legal system and its institutions. On the one hand, these experiences illustrate Padilla's point on how the structural position of Latinos can create shared experiences that deem the Latino label a meaningful one. On the other hand, a survey of the experiences of Latinos with institutions in the central legal system presents some initial examples of how even the direct experience of American institutions is interpreted or experienced through the ideas and experiences that Latinos bring with themselves from their own countries of origin, as well as through their previous experiences in the United States. In this sense, the hybrid normative systems of Latinos are first introduced in this section. On a broader level, these systems are the ones that Latinos will later use to make decisions about the grievances they experiences, and as such as significant in understanding these decisions.

In addition to the underlying notions that individuals have about the formal legal system, the ways in which they interpret any aggrieving situation also has an impact on the decisions they later make regarding how to process it. After all, these all provide the context within which those decisions are made. As such, the rest of the third chapter will turn the gaze to the actual way in which Latinos approach aggrieving situations, even before they take any action upon

them. In order to achieve this, the second section in the chapter (section 3.2) provides the theoretical context from which Latino perceptions of grievances will be studied. Rather than fully adopting any existing understanding or definition of grievance, in this section I restructure the concept according to the particular demands that the Latino community poses to it. In order to overcome models that were overly dependent on a central and unique legal system, I conceptualize the grievance as the process that unfolds after a perceived (and sometimes unperceived) injurious experience.¹² This process starts with a discernment of what is desirable (what is right or wrong, just or unjust) against which the injurious experience is perceived, and is followed by the actions, or inactions, that take place afterwards. The ideas about the social norms, the options recognized as available to process an injurious experience, and the actions themselves, all make up the grievance process. It is important about this understanding that it allows for the existence of a grievance even when there is no clear recognition of an aggressor (something that in the traditional literature is hard to conceptualize), and as a result it does not require the acceptance of a model in which that other part is known (in particular models in which the claim becomes a central part of the grievance or dispute process).

Chapter three then finishes with a section that illustrates both the use of this particular broad definition of grievance and the use of hybrid normative systems in the context of grievance interpretation. In preparation to the following chapter, section 3.3 analyzes the processes through which Latinos identify a situation as aggrieving, focusing on the norms that are used in this process. Through cases and illustrations this chapter will present instances in which norms from both the native country and the United States are used by Latinos to assess experiences perceived

¹² Most models understand grievances exclusively as an instance that occurs before a dispute, which is an open confrontation that has the potential of being brought to the courts. A more detailed explanation of these previous models and the alternative presented in this dissertation can be found in section 3.2.

as potentially injurious, the earliest stage of this broad view of grievances: that of identifying a grievance as such. Once more, hybrid normative systems are seen in use by Latinos as they interpret these aggrieving situations and prepare the context within which they will further understand, and make decisions about, these grievances.

Aided by the context provided in the previous chapter, chapter four presents the analysis of the actual processing of grievances by Latinos in the Greater Pittsburgh area. It starts with a cluster analysis of the general responses to grievances from the data collected, including a general typology.¹³ The next section shifts to a more qualitative approach, looking at the options recognized by Latinos for processing grievances. Without yet looking into the actual decisions made by Latinos, this section attempts to identify resources that are not necessarily mainstream in either the native or American system, but that become important and available for Latinos in their new space. This section also addresses the question of why not all resources that exist in the American social and legal system are actually available to Latinos, once more underscoring the unique set of shared experiences that this group faces. The last section in this chapter finally looks at the actual actions undertaken by Latinos when aggrieved, in particular offering a discussion of the normative frames used by Latinos to make grievance processing decisions. Once again these are identified as being hybrid legal spaces that do not necessarily include all of the resources in the broader American context, and incorporate some aspects from the immigrants' home countries. Some of the elements that make up those hybrid normative systems that are used to support these decisions are presented in this section.

¹³ Cluster analysis refers to a technique in which data is divided into groups, or clusters, where the elements sharing a cluster are more similar to each other than to elements in other clusters. As an initial exploration, cluster analysis facilitates the understanding of basic characteristics of the data.

Finally, a last section in chapter four will look into the use of support networks in grievance processing. In particular, it focuses in the role of these networks in building the individual understandings of the legal spaces that Latinos inhabit, tying their use (when relevant) to the typologies identified in the earlier cluster analysis. Support networks are found as central in circulating the knowledge and information that nurtures the hybrid legal spaces constructed and used by Latinos. The section also stresses how these support networks, and their differences across the Latino population, are very important in understanding some of the main variances within the Latino experience of grievances.

Chapter five will conclude the dissertation. In it I will restate the main ideas presented in previous chapters, particularly the idea about the use of hybrid normative systems as context for processing grievances. This chapter will also include some reflections about the importance of these results particularly in the context of a new growth area, and will end with some suggestions for future research.

1.0 PROCESSING DISPUTES ACROSS BORDERS: THEORETICAL APPROACH

In order to better understand the ways in which migrants process their grievances across transnational borders, I begin by following some key theoretical developments within studies in legal anthropology and in transnational migration that provide a strong framework from which to embark on this endeavor. Within legal anthropology, I focus my attention on the schools of thought that have paid special attention to law as practice in the ground: the study of grievances and the processing of disputes, particularly in urban, “Western” settings. As a thread of this, I then pay particular attention to the development, within legal anthropology, of the concept of legal pluralism. In a second section I focus on the literature on transnational migration as it relates to citizenship, the role of social networks, and the idea of hybridity as a model for understanding the cultural processes of transformation that migrants undergo.

1.1 LEGAL ANTHROPOLOGY

The history of legal anthropology, in one of its more well-known accounts, has been characterized as “turbulent” (Moore 2001). For a subdiscipline that tends to be considered relatively young and contained, this seems a rather strong term. However, in its short and convoluted history the anthropology of law has seen memorable academic debates – or “wasteful

and debilitating quarrels” (Simon 1978) depending on the eyes that read them-, moments of great hope and periods of stagnation and, why not, despair. In the last decades, a sense of crisis has recycled itself within the flanks of legal anthropologists. It is not surprising then that the literature within this subfield has been at times scattered, and with constantly varying focuses and perspectives, which makes it hard to conceive a linear construction of a theory that can be unequivocally used in legal research. For this reason, I will focus my attention exclusively in two perspectives within the scholarly work on legal anthropology that prove particularly relevant for this project. The first one is the literature on how law is lived in practice; although there is no single line of thought that nurtures this perspective, there are numerous works in legal anthropology that conceive law as something that is lived in everyday life rather than something that exists exclusively in certain forums. In particular, there is relevant literature that sheds light on the experience of law in the United States. Somewhat related with this, a second perspective that I will focus on is that of legal pluralism, or the recognition of multiple coexisting legal orders in one given space and time.

1.1.1 Law as practice outside the court (literature in the US)

Early works in legal anthropology, during the first half of the last century, were strongly determined by wider theoretical currents that existed in the anthropological discipline. In a time when anthropology was still fundamentally devoted to “the other,” legal anthropology was almost circumscribed by the concept of “primitive law.” Two good illustrations of definitions of law that were produced during this time, and that were enormously influential on the way law was to be studied, are Radcliffe-Brown’s and Hoebel’s. Radcliff-Brown, in his clear structural-

functionalist perspective, understood law as “social control through the systematic application of the force of politically organized society” (1933:220); for Hoebel, “the really fundamental *sine qua non* of law in any society – primitive or civilized – is the legitimate use of physical coercion by a socially authorized agent” (1972:26). Both definitions emphasize organized structures, that is, the legal institutions, as at the core of what the law is; this perspective of a single, centralizing system is known as legal centralism. As a result, scholars who abode by these ideas of law focused primarily (and for the most part exclusively) just in the institutional aspects of law: the rules and the judges. Examples of this type of works are Llewellyn and Hoebel’s Cheyenne Way (1941), or even Gluckman’s study on the Barotse (1967). These scholars focus largely on the case as the unit of analysis, and conceive it as a series of stages and decisions that follow (and reveal) a homogenous and coherent system of norms, postulates and values within the specific space allowed in the legal system to process conflict.

While these earlier studies focused on finding a systematic context within which cases are decided, other scholars opted for broadening their scope to include the contexts in which disputes occur. Gulliver (1963), who studied the Ndendeuli in Tanzania, is the prime example of this approach: he focused on dispute settlement out of the court emphasizing the general social processes within which disputes occur. Gulliver’s work preceded later works that opted to break a systematic approach to law, primarily focused on rules, by turning to the actual practice of law. To rule-centered approaches to disputes and the law, processualists provided a much broader perspective by looking at disputes and their contexts, and in general how they are handled. Although still often centered in the courts, scholars following this line broadened the borders of the “case” and started looking at disputes in a wider sense; this then changed the paradigm of scholarly research in legal anthropology from “rules” to “reasons,” i.e. what explains a particular

decision when a range of variation is acknowledged (Nader 1969; Starr and Yngvesson 1975; Rosen 1989), and allowed for litigants to have a space for anthropological gaze. The Civil Litigation Research Project (CLRP), without a doubt one of the most ambitious projects in legal research in general and of legal research in the United States in particular, falls within this perspective. The CLRP was designed as a study of dispute processing in the United States, focusing on the role of the courts. It recognized that there are alternatives to them with dealing with disputes, and pretended to assess and compare courts to those.

Although as a project the CLRP was in itself an interesting move towards understanding the underlying factors of disputing, in practice it faced many obstacles. Methodologically, it proved a challenging enterprise, and the results were for the most part far from satisfying. As a matter of fact, probably the most important advances that this project had were in highlighting the difficulties of this line of research.¹⁴ One of the most relevant findings, or at least one of the most publicized, was the very limited use of litigation in the U.S., as respondents of the screening survey identified many disputes that they did not take to court, a finding that is supported in this dissertation for the Latino population in the Greater Pittsburgh area and which fuels its interest on alternative sources of legal relief. In the case of the CLRP this finding, as it related with the methodology used, was found by some authors as problematic. In particular, it has been read as a reflection of access to justice:

litigation becomes the very narrow end of a filtering funnel. Only a select few of society's disputes find their way through the thickets of diversion and into the courts. Most disputes exit from the flow at some earlier stage. So the question of access – can people get “justice” from the law if they need it – becomes defined as a problem of measuring how much potential “business” there is for the courts (...) and how richly the society is endowed with effective alternatives to law, then

¹⁴ For detailed comments on the project, its pitfalls and what was learned from it, refer to the special issue on Law and Society Review, particularly the pieces by Herbert Kritzer (1980) and Robert Kidder (1980). Also see Hensler (1987).

deciding whether the mix of legal and nonlegal dispute processing mechanisms provides sufficient release of tensions in society. (Kidder 1980:718)

What is problematic in this perspective in my own view is that it provides a very limited understanding of how a society works with tensions by focusing almost exclusively in a narrowly conceived “Law”. This outlook is not exclusive to Kidder, but stems from the very design of the CLRP which although in theory expected to compare the courts with alternatives to the official law, methodologically focused almost exclusively in litigation within the courts. This trend, along with the dead ends that it found, is in part what triggered the work of legal scholars that decided to step outside the courts and reframe the law as also constructed by non-institutional, non-structural factors such as human agency and the asymmetry of power. Peter Fitzpatrick even talked of the law as mythical¹⁵ (1992), thus making it necessary to switch the focus towards everyday life and the experience of law, unfiltered by ideals of underlying explanatory legal structures. Under this view conflict, rather than order, is recognized as a major social and legal constant, and thus the gaze turns away from legal institutions towards the individuals who, when in need of order, make decisions to process their grievances and subsequent disputes. This moves disputes outside from the courts, and permits recognizing the importance of alternatives to them, such as negotiation or avoidance of conflict (Nader and Todd 1978). It also permits recognizing the power inequalities that also play within any legal system and that many times determine its outcomes (Nader, Barabas et al. 1997).

¹⁵ Fitzpatrick constructs an argument of logical inference to support this claim. The argument begins by stating that in claiming to be rational, law produces truths. At the same time, the only way in which law appears “modern” is by comparing itself with premodern, nonlegal structures. However, Fitzpatrick sees a contradiction in that this suggests a dependence with the premodern, but the only way of being objectively true and modern is to stop depending on the premodern. Denying this dependence, according to him, is in itself a myth of the law.

This dissertation aligns itself with this broad understanding of law. Law is not a coherent, unique, homogeneous structure, and as such the paradigm of legal centralism is flawed. Law is rather built upon the ideas, decisions, reasons, and understandings that people have about the formal and informal norms and procedures that are available when in need to process a dispute or grievance. Law is as much the rules and decisions of official legal institutions (such as Congress or the courts, in the case of the United States of America), as the impact that these have in society and the rules and decisions that people abide by in their everyday life.

A good illustration of this position, and one that also deals with transnational migration, is the work of Susan Coutin and her description of her own research. In particular, she offers very compelling reasons of why the state law should not be separated from social reality as it is affected by that law, particularly in the immigration context.

Immigration and immigration law are almost inseparable, as law defines the legitimacy and nature of movements and persons. Law delimits the borders of national territories, establishes criteria for passage, creates categories of sojourn and of sojourners, defines the nature of citizenship, legitimizes states, and criminalizes unauthorized entry. Without law, the movements that are deemed immigration might be perceived and characterized differently. Despite their inseparability, law and immigration have often been juxtaposed by scholars who ask whether law can prevent illegal immigration.

(...) I believe that a more fruitful approach to assessing the relationship between law and immigration is to examine how law produces citizens, illegal aliens, legal permanent residents, legal immigration, illicit travel, and even territories and the state. (...) Individuals are situated within immigration categories through a variety of practices, including court hearings, requests for proof of work authorization, determinations of eligibility for services, and detention and deportation. Such practices negotiate not only the statuses of the individuals in question but also the relationship between states and citizenries, the nature of movement, the meaning of presence, and the legitimacy of existence. The outcomes of these negotiations have material effects on individual lives, transnational relations, and national futures. (Coutin 2000:10)

This perspective on the research of the legal focuses not exclusively on the law itself, its norms and structures, but on what it translates into in other social arenas. This is the question of

not only what the law is (or is not), but rather of how it is lived. The best known research projects placed on the United States built on this perception of law are the comparative work of Greenhouse, Yngvesson and Engel (1994) in three communities in the United States and Ewick and Silbey's (1998) research in New Jersey. Although certainly different in their purpose, these works share an interest in the lived experience of disputes and the law in the United States. In the former, the authors seek a comparative analysis of how community, the experience of conflict or harmony, and the lived law are all intertwined, and culturally dependent. The latter explores how law is experienced and perceived by individuals; the different ways in which people think about the law and use it, and the ways in which this influences the decisions they make about grievances. In both cases, the focus is on the lived law, the practiced law; the one that exists not in the courts or the books, but in the people who are everyday impacted by it.

This dissertation finds ample inspiration and reference in these works, although for various reasons it is also quite different. By working with a community that is not fully "American," this dissertation shares Coutin's interest in Latinos as marginal but at the same time deeply entangled with the law. Complimenting her work on the effects of courts and laws in shaping identity, in this dissertation I argue that the everyday experience of processing grievances not only with the state but in a broader sense, that is, in the context on which grievances are experienced regardless of how they are processed, can also impact this identity formation process. It is here that I draw from both Greenhouse et al. and Ewick and Silbey. As in the three community project, I recognize that communities can and do have different understandings of what is right and wrong, even when apparently they are all placed under the same state law. As with Ewick and Silbey's work, I am interested in the relationship that

individuals build with the legal system, and the thought process that they use in dealing with grievances.

Unlike these two works, in understanding the ways in which the Latino community relates with grievances and the legal options available to them, I am open to the possibility of Latinos being influenced by more than one clear normative system. This is theoretically possible by, in addition to the emphasis on practice and the experience of the law, drawing influence from another branch of theory within legal anthropology: that of legal pluralism. Closely related with literature that questioned the validity of a coherent, homogeneous, and singular understanding of law, legal pluralism as a theory proposes the possibility of coexistence of different legalities in a single space. The next subsection will develop in some more detail how these ideas have shaped scholarly research, and this research project in particular.

1.1.2 Legal pluralism

Although scholars writing about legal pluralism have found it hard to agree on a definition for it, the first one was offered by John Griffith on his seminal paper on the topic in 1981. He defined legal pluralism broadly as the “presence in a social field of more than one legal order” (Griffiths 1986:1), which is a direct opposition to legal centralism. A weak version of this definition, particularly used in colonial and post-colonial settings, recognizes legal plurality as a formally recognized figure incorporated by a state, usually in the form of “customary law”; this view, due to the need for the recognition from a central state, still pretty much abides to ideas of legal

centralism.¹⁶ However, for the cases of plurality within modern western societies, a strong version is used, one that challenges the univocality of a central legal order and accepts the possibility of alternative legal orders alongside (or even in opposition to) the state order. This latter perspective is what Merry has called the “new legal pluralism” (1988), and is the one that informs this dissertation.

Legal pluralism, as a concept, has been forced to live since its conception with the limitations that its own history imposed on it. As a notion that was shaped in part as a rejection of the model of legal centralism, rather than as a proposal in itself, early attempts at defining or describing legal pluralism tended to stress what it was not, rather than what it was. The details of how this plurality could be understood analytically tended to be left as secondary to the issue of rejecting the existence of a single unitary legal order by offering a descriptive notion of pluralism. In a broad sense, all scholars who have devoted some effort to better understanding legal pluralism in its strong sense share the impression that it broadly refers to the coexistence of a plural number of legal orders (including but not circumscribed to the state order). However, much discussion has arisen on the specifics of how this plurality should be modeled. Two questions have been at the core of this discussion, and they derive directly from the broad notion depicted above: (1) what is a “legal order,” question that points to the basic one of what is “law” in general, and (2) in which way do the observed multiple orders relate to one another.

Probably the first well known, recognized and cited attempt at a theorization of legal pluralism in its strong sense is Leopold Pospisil’s work on the subject. Pospisil understood

¹⁶ The “simplicity” of this model has been criticized by authors who underscore how customary law is actually a colonial invention rather than an empirical reality (Snyder 1981), that this encounter varies greatly from one place to another (Scaglione 2004), and is dependent on individual decisions which are shaped by culture and context (Collier 1973). Nonetheless, given the context of this dissertation, these cases of legal pluralism are not of particular relevance to this project.

societies as consisting of multiple subgroups, and he wanted to analyze the impact of this recognition about social structure on theorizing about political and legal organization. In this light Pospisil reviewed previous ethnographies that looked into the law of “primitive” societies, realizing that when the theoretical origin of an ethnography was understanding law as the product of a total and unified society, the results were biased against recognizing internal fragmentation of law, or even worse, against recognizing law at all. For this reason, Pospisil argued against the conception of law as concerning a society as a whole. As an alternative he suggested that “every functioning subgroup of a society has its own legal system which is necessarily different in some respects from those of other subgroups” (Pospisil 1967:9).

Pospisil’s recognition of legal pluralism has its origin in his underlying conception of social ordering. If every “subgroup” in a society has its own legal system, then it is necessary to understand how these subgroups exist and coexist. To answer this question, Pospisil offered the model of a hierarchical structure “reflecting the degrees of inclusiveness of the corresponding subgroups” (Pospisil 1967:9). In his view, society as a whole is divided in several “legal levels,” in which smaller units progressively form larger units creating a hierarchy that ends in the larger structure of the state. Not surprisingly, this tight and very idealized model of society was later criticized as leaving behind observable subgroups that trespass this tight order, such as churches or guilds, and for not offering enough grounds to recognize what would be a “functioning group or subgroup” of society (Griffiths 1986).

A much more successful model to understand the interaction between social subgroups was offered in the early 1970s by Sally Falk Moore when she proposed the methodological tool of the “semi-autonomous social field” (1973). Although she conceived it as a methodological tool, inasmuch as it also offers an intrinsic conception of legal pluralism in particular (and of law

in general) this concept of the semi-autonomous social field (SASF) has been recurrently used in attempts to build working models of legal pluralism. Following a quite broad conception of law and a very dynamic understanding of legal structure, Moore defines the SASF and its boundaries

not by its organization (it may be a corporate group, it may not) but by a processual characteristic, the fact that it can generate rules and coerce or induce compliance to them. Thus an arena in which a number of corporate groups deal with each other may be a semi-autonomous social field. Also the corporate groups themselves may each constitute a semi-autonomous social field. Many such fields may articulate with others in such a way as to form complex chains, rather the ways the social networks of individuals, when attached to each other, may be considered as unending chains. The interdependent articulation of many different social fields constitutes one of the basic characteristics of complex societies. (Moore 1973:722)

A clear contribution of Moore's SASF to theorizing legal pluralism is that it offers a model that is able to express a highly dynamic interrelation of normative orders. In this model there are no pre-conceptions of rigid sets of attributes that these fields must comply with in order to be recognized as such. Rather, Moore focuses strictly on their self-regulating capacity, envisioning them more as spaces where things happen (norms are created and enforced) rather than as actual things that are observed. This model also permits individuals to be part of a multiplicity of SASFs at the same time, which aids thinking the relationship between fields as one of dynamic struggle, negotiation and interaction in general. In this way, Moore clearly breaks apart from Pospisil's rigid and hierarchical vision of society, and hence of legal pluralism. In doing this, Moore also offers an interesting alternative understanding of law in a broader sense, as she illustrates how the "social space between legislator and subject is not a normative vacuum. The social medium through which rules are transmitted and the social context within which they are operative is full of norms and institutions of varied provenance" (Griffiths 1986:34). In other words, "the descriptive theory of legal pluralism is, thus, the theory of the

normative heterogeneity entailed by the fact that social space is normatively full rather than empty” (Griffiths 1986:34).

Building upon Moore’s idea of SASFs, Griffiths later defined legal pluralism as an attribute of a social field, not of “law” or a “legal system.” In this vein, a social field can be said to exhibit legal pluralism when “more than one source of ‘law’, more than one ‘legal order’, is observable” (Griffiths 1986:38). Since he defines law as “the self-regulation of a ‘semi-autonomous social field’,” Griffiths concludes that although more or less differentiated, law is present in every SASF. And since every society has many SASFs, then “legal pluralism is a universal feature of social organization” (Griffiths 1986:38). In a similar vein to Pospisil’s reliance on his view of social order to theorize the legal order, Griffith’s reliance on semi-autonomous social fields leads him to conclude that “‘legal pluralism’ refers to the normative heterogeneity attendant upon the fact that social action always takes place in a context of multiple, overlapping ‘semi-autonomous social fields’, which, it may be added, is in practice a dynamic condition” (Griffiths 1986:38). A very unfortunate aspect of this particular understanding of legal pluralism is that in his attempt to make up for Moore’s lack of a formal definition of “law” as clearly independent from the state, Griffiths ends up creating a circular definition between semi-autonomous social fields and law: SASFs are identified in their self-regulation and law is defined as the self-regulation of SASFs. In the end, the problem of defining law ends up being transferred to the problem of defining what is meant by “self-regulation.”

At almost the same time that Griffiths was presenting his perspective on legal pluralism, Galanter published an article that has received much less attention but that has a very similar perspective to Griffiths’. Galanter’s main issue, as well as Griffiths’, is to directly attack legal centralism and to offer an alternative that allows for a plural understanding of law and its

sources, an alternative that for Galanter means recognizing the existence of what he calls “indigenous law” (which can be the law of family, business association or any other such field). One difference, however, is at the core of both of their perspectives. While Griffiths’ main focus is on law as related to the “legislator,” Galanter’s argument revolves around the law as it is produced in the “courts.” This difference hints at a different approach to law: Griffiths leans towards norms and Galanter towards processes, in the classic dichotomy that legal anthropologists have endlessly discussed regarding whether to address law as a rule or as a process. Nonetheless, Galanter also offers a compelling critique of legal centralism and then uses Moore’s concept of semi-autonomous social fields to make sense of what he calls indigenous law, leaving his definition of legal pluralism implicit within it. For Galanter indigenous law is not “some diffuse folk consciousness, but (...) concrete patterns of social ordering to be found in a variety of institutional settings – in universities, sports leagues, housing developments, hospitals, etc.” (1981:17-18). As he sees it, however, this definition does not imply a dichotomous distinction between official law and indigenous law, since elements of both permeate each other.

In what seems to be clear understanding of the actual reach of his description of legal pluralism, Galanter offers in a footnote what is perhaps his most acute insight into the advantages and limitations of the model of legal pluralism. Rather than explicitly providing a definition of law as Griffiths did, Galanter prefers to confront important issues about the definition of law that later proved crucial in discussions around legal pluralism:

Social life is full of regulation. Indeed it is a vast web of overlapping and reinforcing regulation. How then can we distinguish “indigenous law” from social life generally? Consider for example the kinds of regulatory order that are involved in dating, the exchange of Christmas gifts, behavior in elevators and in classrooms. In each there are shared norms and expectations about proper behavior; violations are visited with sanctions ranging from raised eyebrows to avoidance to assaults,

reputational or physical. Clearly there is some sort of regulation going on here. In spite of the continuities, it may be useful to have a cut-off point further “up” the scale to demarcate what we want to describe as “law” of any sort, indigenous or otherwise. (...)

The scale that I visualize is one of the organization and differentiation of norms and sanctions. As we move up, we get standards that are more explicit, more deliberation about their application, eventually some kind of procedure for deliberation about norms and their application that can be identified as distinct from the ordinary flow of activity in the field. (...) Although the principle seems to me a coherent one, it does not lead to a specification of what “is” and what is not law, for the features that we refer to exist across a whole spectrum of intermediate cases, like the transition from blue to purple. Just where to draw the line depends on the particular purpose at hand. Because the point in this section is the pervasive presence of formidable controls located within the activity being regulated by the official law, I have used the term indigenous law in a more sweeping fashion than would be appropriate for other purposes. (Galanter 1981:18-9,n.26)

In this quite insightful footnote Galanter recognizes that his description of the coexistence of normative orders lacks an actual definition of “law.” Although he senses that the line between actual law and other types of regulations depends on the way sanctions are addressed, he recognizes that he is not really defining law. It is precisely this problem of the difficulty of drawing a clear line between law and other forms of social ordering which is one of the best known and reproduced issues on Sally Engle Merry’s review of literature on legal pluralism. In this work she does share previous views of pluralism as referring to multiple orders participating in one social field, multiplicity that does not present itself as a simple dichotomy between two distinct and separate orders. To her, legal pluralism is defined dynamically as “the dialectic, mutually constitutive relation between state law and other normative orders” (Merry 1988:880). However, in her review Merry very specifically addresses the existing problems in defining legal pluralism and, in particular, “legal system” as one of the key issues at hand in academic debate. Almost as an answer to Galanter’s line of thought, Merry worries that the inclusion and

acceptance of nonlegal forms of normative ordering “runs the risk of defining legal system so broadly that all social control forms are included” (Merry 1988:871).

Merry pays a lot of attention in her review to the issue of how to conceptualize/refer to legal systems, in particular non-state ones. She recognizes a great difficulty in being able to univocally define or conceptualize non-state legal orders given their great diversity. “However, there is a general agreement that pluralism does not describe a type of society but is a condition found to a greater or lesser extent in most societies, with continuous variation between those that are more and those that are less plural” (Merry 1988:879). In her scheme, also quite in line with Galanter’s proposal, she explicitly recognizes a special importance of state law, given the coercive power of the state and the monopolizing symbolic power of state authority.

This symbolic power of state authority is particularly important within conceptions of law that are more symbolic than normative. This seems to be Merry’s own case, as she argues that pluralism “requires a shift away from an essentialist definition of law to an historical understanding since any situation of legal pluralism develops over time through the dialectic between legal systems, each of which both constitutes and reconstitutes the other in some way” (Merry 1988:889). This statement goes hand in hand with seeing law as a system of thought rather than as a set of rules exercising coercive power, or as Geertz defined it, as “part of a distinctive manner of imagining the real” (Geertz 1983:184). Geertz is the best known proponent of understanding and analyzing law as a cultural system of meanings, which stresses its symbolic power in structuring reality.

Another scholar who has worked broadly on legal pluralism and has embraced this symbolic understanding of law is Boaventura de Sousa Santos. Today Santos is widely considered one of the main exponents of an extreme perspective of legal pluralism. In his

discussion of legal pluralism he brings together some of the issues already mentioned above by different authors, and makes an argument for embracing this particular view in studying the legal order.

Legal pluralism is the key concept in a postmodern view of law. Not the legal pluralism of traditional legal anthropology in which the different legal orders are conceived as separate entities coexisting in the same political space, but rather the conception of different legal spaces superimposed, interpenetrated, and mixed in our minds as much as in our actions, in occasions of qualitative leaps or sweeping crises in our life trajectories as well as in the dull routine of eventless everyday life. We live in a time of porous legality or of legal porosity, of multiple networks of legal orders forcing us to constant transitions and trespassings. Our legal life is constituted by an intersection of different legal orders, that is, by interlegality. (Santos 1987:297-298)

Santos defines law as “a body of regularized procedures and normative standards, considered justiciable in any given group, which contributes to the creation and prevention of disputes, and to their settlement through an argumentative discourse, coupled with the threat of force” (Santos 1987:114-115). Addressing how this can be interpreted as having law everywhere and recognizing any social order as law, he prefers to focus only on six realms that he finds particularly significant: domestic, production, exchange, community, state and systemic (Santos 1995). In doing this, Santos does not seem to be troubled by the fact that law appears to be omnipresent or “even overlapping and doubling up on itself” as Tamanaha criticizes him for (2000). Rather, his point of view seems to originate from a decision to fully grasp the notion of law as a symbolic realm, by looking at it in terms of spaces of symbolic productions of reality (domestic, production, exchange, etc.). In doing this, Santos is able to study the ways in which subordinate groups draw on the symbolic meanings defined by the state, using them to create their own legality.

With Santos’ perspective, scholarly debate goes full circle in totally shifting the focus of legal pluralism from law as something produced by/within a field to law as something used by

individuals. In this particular aspect this is a perspective that, interestingly enough, has been supported by scholars like Tamanaha, one of the most severe critics of legal pluralism in general (and of Santos' postmodern understanding in particular). In a relatively recent writing, Tamanaha defined law as "whatever people identify and treat through their social practices as 'law' (or recht, or droit, and so on)" (Tamanaha 2000:313). Under this perspective he calls for a subject generated approach to law and legal pluralism: "The plurality I refer to involves different phenomena going by the label 'law,'" whereas legal pluralism usually involves a multiplicity of one basic phenomenon, 'law' (as defined)" (Tamanaha 2000:315). On a similar line Simon Roberts, another hard critic of legal pluralism, recognizes the importance of legal pluralism in discovering the subversive power of suppressed discourses. In the same writing where he heavily criticizes legal pluralism as an analytical concept, Roberts argues that this understanding "enforces a reconsideration of any one-way, top-down view of ideology as simply operating to justify hierarchy or to mask its reality from the disadvantaged" (Roberts 1998:97).

As for the intersect between legal pluralism and the transnational arena (on which this project places itself), the most recent survey of legal pluralism literature tackles what the author calls the New Legal Pluralism, mainly how legal pluralism as a concept is being revamped to conceptualize global, international and transnational legal realities. Unfortunately, in this trend even as pluralism is considered as an alternative vis-à-vis central state systems, the focus remains on well-structured and systematized transnational actors, such as trading organizations, commercial firms, international organizations or institutions, or NGO's.¹⁷ Additionally, an important concern remains in identifying the sources of acceptance of a legal system in processes

¹⁷ This is equivalent to the scattered attempts at using a legal pluralism model to study legal reality, which still very much focus on central legal structures, as is the case of Engel's work on "Legal Pluralism in an American Community," which nonetheless uses as its starting point the civil trial court (Engel 1980).

that are able to resemble either coercion or a structured negotiation of tradition (Berman 2009). As it will be presented later, this dissertation moves beyond these limitations by exploring a transnational context where legal pluralism exists but is not determined by predefined structures or organizations, but rather by the structures intrinsic to transnational migration. In a way, it responds to Berman's own challenge for future research: "Only through a more fine-grained, nuanced understanding of the way legal norms are passed on from one group to the other and then transformed before spreading back again can scholars begin to approach the multifaceted ways in which legal norms develop" (Berman 2009:232).

1.1.3 A summary: Theoretical framework for the understanding of the legal

As the previous sections have made clear, the literature on legal anthropology has been anything but univocal. Nonetheless, this dissertation builds from the models and understandings that have been developed in this literature. The ways in which this is done will be detailed in this subsection.

As it might be clear by now, in this dissertation "law" and the "legal" will be understood in a broad sense, very much following Tamanaha's definition of "whatever people identify and treat through their social practices as 'law'" (Tamanaha 2000:313). This is why literature on the law as lived, or the law as practice, is central to my project. When thinking about a specific community, or even just an individual, the law will be on what this person identifies as 'law' through his or her social practices. In this particular aspect Sally Falk Moore's model of the 'semi-autonomous social field,' along with her vision of the social legal space as being full (of normativity) rather than empty, permeates deeply into this project. It is this idea of legality existing 'everywhere' which allows looking for it outside the formal legal structures and in

individuals' experiences and practices. It is also this model that allows for these individuals to exist along multiple normative structures that dynamically interact with each other, also a key aspect of this dissertation.

However, recognizing that at least some boundaries are needed to what will be included for the purpose of this dissertation within the idea of 'law' (as Galanter suggests, it is important to draw a line somewhere), in this dissertation it is drawn at the specific norms and processes that people identify as relevant when dealing with perceived grievances with others and / or the state. This leaves out, for instance, norms that are at stake in non-aggrieving situations (for example, norms of personal moral conduct, or social norms of etiquette). The reason for focusing exclusively on situations perceived as aggrieving is directly related with Santos' symbolic perception of law. This dissertation is not only about the lived experience of law; it is about the lived experience of the law for a very specific group of people, one that can be described as marginal to the wider society. For this reason, in this dissertation the symbolic power of law is particularly relevant: part of the broader interests that fuel this work are the questions about this marginality, how it is constructed, maintained or contested in daily life. From this perspective, the legal is just one of many possible spaces where the answers to these questions can be sought, albeit an important one. This dissertation is, in a way, a look into the specific ways in which Latino migrants create their own legality within the frame of the host country in which they are placed. Situations that are perceived as aggrieving, particularly on topics that can either stress marginality (discrimination or problems with the state) or prove antagonistic with previous understandings of what is right and wrong (debts and domestic disputes (Nuijten 2005)), are particularly good spaces to analyze this symbolic processes of legal practice.

Given the importance of the specific group that is being studied (the transnational migrant) for the construction of a theoretical framework of law, it is key to also provide a theoretical context for the study of such communities. With this goal, the next section will focus on the relevant scholarly works on transnational migration, and the ways in which they also inform this dissertation.

1.2 TRANSNATIONAL MIGRATION AND TRANSNATIONALISM

Research on migrants who cross state borders has experienced various stages. Originally, the paradigmatic model for understanding the experience of migrants in their host countries was that of assimilation, that is, seeing their process as one in which they slowly but steadily distance themselves from their cultures of origin (both physically and symbolically) until they become fully assimilated, undistinguishable (in a truly “successful” case) from other members of the host society. In more recent years, however, more and more scholars have distanced from this model arguing that the migratory experience is not unidirectional, nor is it a fully disjoint endeavor that can study adaptation experiences in isolation from those that drove migration in the first place. Additionally, the assimilation model portrays ethnic minorities as extremely passive in the adaptive processes after immigration: although all the changes occur within these groups, as communities they are neglected any possible positive active role when any attachment to the ethnic community is interpreted as hindering individual assimilation (Alba and Nee 2003:3-6).

Partially as an answer to the inadequacy of the ethnic assimilation models, transnationalism emerged as an alternative referent. It was recognized that assimilation models neglected the fact that immigrants are not restricted within the boundaries of their host country,

but rather that they may exist in constant interaction across borders. When this interaction exists, it has direct impact on their identity formation, their lives, and their adaptive processes (Glick Schiller, Basch et al. 1992; Blanc-Szanton, Basch et al. 1995).¹⁸ Under this perspective, migration in itself is conceived as “movement across a significant border in the process of which the identity of the migrant is significantly changed politically” (Kearney and Beserra 2004:6). Under this new definition, the point of origin becomes relevant. It is here where the starting point of any change is to be found and, as it continues to be contacted, it thus becomes influential in the processes that take place in the receiving country.

Today, transnationalism remains a strong model to understand migrants, and scholarship has worked hard to clarify “the social spaces in which transnational migration occurs and the social structures it generates, the variations in its dimensions and forms, the relationship between processes of incorporation and enduring transnational involvements, the ways in which contemporary iterations of cross-border memberships compare to earlier incarnations, and their durability” (Levitt and Jaworsky 2007:131). Not surprisingly given the geographical closeness of both the sending and host countries in the case of Latinos, particularly those traveling from Mexico and Central America to the United States, transnationalism remains a particularly important referent for scholars who study Latinos.

Numerous studies have suggested that migrants are engaged in producing social capital¹⁹ on both sides of the border. Malkin, for example, offers an interesting perspective by studying the ways in which symbolic capital is generated by the migratory experience from two towns in

¹⁸ Although transnationalism as a model has not been used exclusively by scholars studying Latinos living in the United States, most of the works cited will come from literature on Latinos, as they are the most relevant to this dissertation.

¹⁹ Social capital has been defined by Bourdieu as “the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalized relationships of mutual acquaintance and recognition” (Bourdieu 1997).

Mexico. In these towns gendered social roles structure access to migration networks, while they also affect the success of migration. She argues that in order to understand the ways in which migrants organize their lives within a coherent framework, it is necessary to understand the symbolic capital and value of the places that they leave, and sometimes return to, as well as those of the migrant networks themselves (Malkin 2004). A similar conclusion is reached by Ramos-Zayas when she realized that in the case of Puerto Ricans being a “mainlander” or an “islander” is not determined by geographical positioning, but that it is rather based on other dimensions. In other words, to understand the construction of identity among Puerto Ricans, and therefore to fully comprehend the adaptive process of migration to the mainland (and back), it is necessary to look into the construction of Puerto Ricanness at the place of departure (Ramos-Zayas 2004). For the Dominican case, Guarnizo concludes that “in the United States, Dominican immigrants assess their class position and mobility vis-à-vis the Dominican rather than the U.S. class structure” (Guarnizo 1994).

Another important realization of scholars using the transnational model has been that migrants tend to represent very specific segments of their population of origin. This has been identified as relevant in understanding not only the people who migrate, but also the adaptive processes that they follow.

Persons with certain identities may cross a particular border unimpeded by the order that defines and maintains it whereas persons with other identities may not. The dynamic here is largely self-replicating in that persons with identities that provoke no impediment to border crossings are likely to be advantageously associated with the political order that defines the border in question. (Kearney and Beserra 2004:6)

It is therefore not surprising that although over time the poorest segments of the population are networked into migration, they are seldom pioneer immigrants (Massey, Alarcón et al. 1987; Massey and Espinosa 1997; Massey 1998).

Despite how useful transnationalism has been at structuring scholarship on transnational migration, as a model it has not existed without critics. Given its relatively novel character, criticism has been received due to the lack of a clear understanding of what can be considered, and what not, transnational. How widespread, novel and distinct are transnational contacts is something that has been discussed in the literature in aims of evaluating the advisability of recognizing transnationalism as a viable and significant field of study.²⁰ However, transnationalism remains strong as scholarship has worked hard to clarify “the social spaces in which transnational migration occurs and the social structures it generates, the variations in its dimensions and forms, the relationship between processes of incorporation and enduring transnational involvements, the ways in which contemporary iterations of cross-border memberships compare to earlier incarnations, and their durability” (Levitt and Jaworsky 2007:131).

One concept that has proven crucial in explaining how transnational processes actually work has been that of social and personal networks. For a long time, social networks have appeared in the literature on international migration. In their early stages, social networks were understood as structural elements that produced and facilitated migration and that served as channels through which information and assistance could flow (Massey, Alarcón et al. 1987; Boyd 1989; Fawcett 1989). According to this framework, migration occurred embedded in social networks that stimulated it at its source, defined its course and facilitated it at its end point, while serving as almost a physical channel for the flow of information and people.

²⁰ The introductory article to a special issue on transnationalism in the *Journal of Ethnic and Racial Studies* offers an interesting discussion of these points. In it, Portes, Guarnizo and Landolt identify as possible pitfalls: (1) establishing the reality of the phenomenon (in this case transnationalism); (2) delimiting the phenomenon; (3) defining the unit of analysis (they suggest the individual and his/her support networks); (4) distinguishing types; and (5) identifying the necessary conditions for the phenomenon to exist (Portes, Guarnizo et al. 1999).

This conceptualization, however, has changed radically in more recent years with scholars questioning the seemingly neutral and structural role of networks: it has been suggested that social networks do not have the same effects across all its members, in particular gender-wise (Hagan 1998; Menjívar 2000; Curran and Rivero-Fuentes 2003), or across different times (Menjívar 2000; Winters, Janvry et al. 2001), and that these networks can be quite active, for instance by not just channeling but supplying services such as jobs and housing (Light, Bernard et al. 1999), or even by hindering the possibilities of assistance (Menjívar 2000). Today, the social networks involved in international migration are understood as active and heterogeneous entities that remain active both at the sending and receiving ends of migration. Scholars specifically interested in the legal aspects of transnational migration have also used the idea of networks to help explain the processes observed, although a preferred term has been that of “social fields” defined as “an unbounded terrain of multiple interlocking egocentric networks” (Glick Schiller 2005:28-29).

For the specific case of this dissertation, two areas of work on transnational migration and transnationalism are particularly relevant: citizenship and hybridity. The following sections will broaden the general ideas that have already been presented above on transnationalism, as they have been used for the understanding of citizenship and in the conceptualization of hybridity. In these two sections the focus will remain on scholarship on Latinos in the United States.

1.2.1 On citizenship or the politics of transnational migration

As in the case of general studies on adaptation to life in the United States, research on political participation and naturalization of migrants was initially heavily influenced by the assimilation model. In the case of political participation, however, the model was probably stronger and more ingrained, as the eventual acquiring of citizenship was in itself interpreted as the ultimate assimilation step, in both symbolic and concrete terms. Citizenship in the U.S. assumes loyalty and is sealed for immigrants through an oath to swear exclusive allegiance, which can be very complicated for the complex identities of many immigrants. The political assimilation model, as the general assimilation model, assumes a state of homogeneity towards which new immigrants move, and that is materialized in the acquisition of citizenship. This model for understanding naturalization and political participation was so strong that as it became clear that Latino communities were not succeeding in political incorporation “social scientists tended to focus their inquiries not on what was wrong with the model (whose validity was unquestioned), but on what was wrong with these communities” (Torres 1998:171). An example of this type of studies would be John García’s work on political integration of Mexicans, where he correlated sociocultural characteristics of immigrants and their responses to questions on political orientations. His study led him to conclude, among other things, that “absorption into “things Mexican” may create a greater distance from any level of awareness or information about the host political system” (Garcia 1987:386).

This understanding of the naturalization process had its origin in early works with “new immigrants” at the turn into the 20th Century in which culture, and not race, was seen as determinant for naturalization (Bernard 1936). However, the reality that informed these conclusions changed drastically in 1965 as the discriminatory national-origins quota got to an

end and opened the doors to Latin America and Asian immigration, thus changing the racial demographics of immigration. Johnson calls this “the end of formal racial discrimination in immigrant admissions and the emergence of the immigration “problem”” (Johnson 2004:395). This perception was strengthened by a rise in undocumented migration during this same time. These events eventually boiled into immigration reform in 1996 which, as one important result, “facilitated deportation of long-term Latino residents”. Parallel to this, and “not coincidentally, the 1990s saw an increase in hate crimes against Latinos, including some directed at those assumed to be immigrants by private citizens acting as vigilantes claiming to enforce the immigration laws along the U.S. border with Mexico” (Johnson 2004:395). The message to Latinos was that “they are second-class citizens and fortunate to be in this country at all” (Johnson 2004:396). In all these events, race was a determinant factor. As a response, Latinos made increased applications for citizenship “as the social costs of noncitizen status rose along with anti-immigrant hysteria, aggressive deportation campaigns, and sharply reduced public benefits for noncitizens” (Johnson 2004:398). However, due to claims raised that people were unlawfully naturalizing seeking to increase democratic voters, INS denials also rose dramatically. Concerns over the Latino citizenship growth have gone so far as to the point of some reconsidering the birthright citizenship to all persons, particularly those born to undocumented parents:²¹ as the number of Latino citizens increases, they are more and more acknowledged as a political power. In particular, increasing naturalization may translate into voting strength of Latinos, which can help in efforts to attain full membership and equal citizenship (DeSipio 2004). Power of voting rights can be seen in growing numbers of Latinos

²¹ This trend has received a new air recently, with various republican senators embracing this idea during the summer of 2010 (Chavez 2010; Preston 2010).

elected to public office. Also, there is a growing participation (including undocumented migrants) in organizations such as labor unions (Milkman 2000).

The new map in which Latinos have engaged in political action in the United States is one in which race matters, and in which the possibility of identifying someone as Latino matters.

Latinos suffered legally enforced discrimination in public education; public accommodations, such as theaters, swimming pools, hotels, and restaurants; access to jobs and economic opportunity generally; and in their ability to serve on juries and be judged by juries of their peers. (...) Repression often served as the catalyst that led Latinos to protest, form advocacy and civil-rights organizations, and pursue litigation to challenge civil-rights violations. However, until recently, legal rights and remedies available to African Americans often were denied Latinos because they were classified as “white” under law. (Johnson 2004:391)

Latino civil rights activism, for Mexican Americans in particular, started as soon as the Mexican American War ended (Rosenbaum 1981). Since the 1960s, Latinos of all national origins have joined in. Areas of particular concern are what Levitt and Jaworsky (2007) identify as immigrant politics, concerned with issues such as discrimination and, in particular, racial profiling as a way for a heavy handed deportation strategy. Numerous cases continue to exist of Latinos being stopped and/or questioned for no other reason than looking Latino, many of them near the border but some occurring in places like Ohio or the Greater Pittsburgh area. There are also innumerable reports of accounts of civil rights abuses against undocumented migrants (Johnson 2004).

Other arenas in which Latinos in the United States in particular have been politically active has been education, where organizations such as the League of United Latin American Citizens (LULAC) and the Mexican American Legal Defense and Education Fund (MALDEF) have fought against segregated public education in order to ameliorate the de facto segregation stemming from housing issues. To achieve this, Latinos have pressed for equality in public school financing and have united against attempts at keeping undocumented children out of school. Given the circumstances in which they have structured their lives in the United States, in

particular the recognition of discrimination and practical disadvantages, in general Latinos have acted politically by, instead of trying to prove that they were loyal Americans, seeking to define their identities in terms of difference (Torres 1998:174). As Oboler says, “ethnic labels serve to point to the practices of political inclusion or exclusion of the group’s members from full participation as first-class citizens in their nation” (Oboler 1995:xvii).

Looking through a more transnational lens, several authors have explicitly tried to broaden the scope of the concept of citizenship. Of these, two have been particularly groundbreaking on studies of Latinos. One is the conception of citizen in a broad sense as political subject. “In this way, immigrants who might not be citizens in the legal sense or who might not even be in this country legally, but who labor and contribute to the economic and cultural wealth of the country, would be recognized as legitimate political subjects claiming rights for themselves and their children, and in that sense as citizens” (Flores and Benmayor 1997:11). Flores and Benmayor use this broad definition to present a series of ethnographic studies that includes undocumented migrants as actors. A similar approach is offered by Michael Jones-Correa (1998), who sees political actors even in Latinos who have decided not to apply for citizenship given the high stress that this puts on their identity. Although in a liminal state, they are still able to operate in the margins of both nations through their manipulation of multiple identities.

The second interesting and novel concept offered to understand transnational migrants is that of “transborder citizens.” Utilizing the case of Haitian migrants to the United States, Glick Schiller and Fouron (2001) suggest that citizens may (or may not) be citizens of both their homelands and the receiving country and have some political involvement in one or both of them. In their research, this includes connections of second-generation Haitian youth with the

island, which gives a heavy blow to the idea of assimilation as happening naturally in a linear progression across generations. Not only this, but their ethnographic work also illustrates how political knowledge gained in one of the involved states is used in the other, and vice versa: “lessons learned in one terrain [are] popularized transnationally” (Glick Schiller and Fouron 2001:199).

Finally, this framework cannot be complete without mentioning the existing scholarship on the ways in which transnational migrants claim rights and citizenship, or in other words, scholarship that focuses particularly on the legal dimensions of these processes. For the case of Latinos, the most remarkable work is Susan Coutin’s on the Salvadoran immigrants’ quest to attain U.S. residency (Coutin 2000; 2003), already mentioned above. In her work, Coutin argues that legal discourse is routinely manipulated by legal-services advocates who work with undocumented migrants, in an attempt to “make clients’ life narratives conform to predefined prototypes of deserving” (Coutin 2000:79). According to Coutin, legal advocates and their migrant clients create alternative legalities based on the parameters defined by immigration law, in a process that requires acknowledging that law is multiple and that the clients’ legal realities, an idea compatible with a broad notion of law as it is used literature on legal plurality. In their work, “advocates simultaneously challenge and reinforce both official and unofficial legal notions” (Coutin 2000:79).

Somewhat in this same vein, other projects also look at the ways in which international migrants juggle their existence across different official legal systems, usually focusing on the ways in which they understand and live citizenship (Glick Schiller and Fouron 2001; Nuijten 2005). Fewer works, however, have looked at the everyday experience of law as it is lived between individuals (as opposed to how it is lived vis-à-vis a nation-state). How relevant this

topic can potentially be, however, is recognized by Nina Glick Schiller as she discusses the possibilities presented by transnational migrants:

When we begin to look at mobile people we note the complexities introduced to the study of pluralism when the actors are migrants. First of all, if migrants remain citizens of their homeland they may be governed by the rights and restrictions of that homeland in regard to a variety of practices such as marriage, divorce, child custody and the inheritance of property. Secondly, *incoming populations bring within them different modes of family, social welfare, gender relations and means of organizing claims and rights*. Whether or not they maintain citizenship in their homeland or obtain citizenship in the new land, *they may live in the new land within a system of customary law*. (Glick Schiller 2005:28 - italics not in original)

Unfortunately, this has remained more as a statement of potential research rather than an explored area of focus. This dissertation will attempt to look into the possibilities here presented, as they are lived in particular by a Latino population. In order to do so, another line of scholarship is to be used: that of hybridity as a model to understand transnationalism, and in particular how plural legal systems coexist.

1.2.2 Hybridity and (in?) borderlands

Another area in which transnationalism has proven a valuable referent for understanding processes, specifically on Latino adaptations to life in the United States, is in the development of the concept of borderlands (although it ironically does not involve directly migrant populations). A significant number of Latinos in the United States do not have any personal migratory experience: this is the case of later generations of American-born descendants of colonized peoples or of migrants. These newer generations, in traditional assimilation models, were considered a key variable for assessing adaptation given the fact that assimilation was seen as a linear process that began with a migration and that moved forward in each generation. However, this separation of experiences between generations “does not accurately capture the experiences

of living in a transnational field because it implies a separation in migrants' and nonmigrants' socialization and social networks that might not exist" (Levitt and Jaworsky 2007:134). Given the constant replenishment of new immigrants, particularly within Latino populations, "at any point in time each generation is a mix of cohorts and each cohort has a mix of generations" (Waters and Jiménez 2005:121). Probably no theoretical development better explains socialization and social reproduction occurring under these circumstances and across borders than the concept of "borderlands," which has been used profusely in Chicano literature.

Although as an idea "borderlands" was born in the study in geographical borders (particularly the U.S.-Mexico one, which has become almost a paradigmatic case) it has expanded to become a metaphorical idea as well. It has developed into a concept that has the potential of travelling beyond the borders themselves into all spaces where the in-between is present. As Gupta and Ferguson argue, the borderlands

are just such a place of incommensurable contradictions. The term does not indicate a fixed topographical site between two other fixed locales (nations, societies, cultures), but an interstitial zone of displacement and deterritorialization that shapes the identity of the hybridized subject. Rather than dismissing them as insignificant, as marginal zones, thin slivers of land between stable places, we want to contend that the notion of borderlands is a more adequate conceptualization of the "normal" locale of the postmodern subject. (Gupta and Ferguson 1992:18)

From the anthropological perspective, the study of the border is an attempt to look into the conflictive nature of space, and the reality of conflict and change (Rosaldo 1993). "The crossing of borders and the myriad dimensions of shifting human accommodation in this context illustrate some of the most important elements in the anthropological canon-community, culture, gender, identity, power, and domination" (Alvarez 1995). Borderlands refer "not just to the physical spaces at the conjunction of national frontiers, but to the sites that can potentially be found anywhere where distinct cultures come together in interaction without thereby losing their

differences,” and looking at them is recognizing the “increasingly transcultural and transnational processes that shape our world” (Alvarez and Collier 1994:607).

The better known scholarship on borderlands has dealt with a metaphorical vision of the border, one that includes “social boundaries on the geopolitical border and also all behavior in general that involves contradictions, conflict, and the shifting of identity” (Alvarez 1995:449). Literature under this interpretation of borderlands has explored new ideas about gender, identity and ethnicity. Some of the better known works in this tradition call for the actual existence of a hybrid entity, one that is not hyphenated but truly plural (Cisneros 1989; Lugones 1992; Anzaldúa 1999). In Renato Rosaldo’s words while narrating his own process of defining this new way of making sense of anthropology, it took him time “for the concept of a multiplex personal identity to move in alongside its predecessor, the “unified subject,” and for the notion of culture as multiple border zones to find a place next to its predecessor, the “homogeneous community”” (Rosaldo 1993:166). Works under this line of thought can explore the border in locales that are placed far away from the actual border, but where identities and cultures actually meet.

One term that recurrently appears in the literature on borderlands is that of “hybridity,” usually to grasp the nature of plural and complex transnational beings and processes. Although in these instances the term has been used to explain individual identities, it is important to review some of the deeper developments of this idea, most of them in a different (but certainly related) context: that of popular culture. Nestor García Canclini, in the study of modernization in Latin America, uses the idea of hybridity to question the distinctions between elites and mass culture. Always in the context of Latin America, García Canclini characterizes the most recent period as one of increasing instability and semantic plurality, a similar assertion as that of scholars

studying transnational migrants in a country like the United States. García Canclini argues that hybrid transformations take place due to the coexistence of a plural number of symbolic systems, which can (and most likely are) not equal (1992). In Hybrid Cultures he theorizes about hybridity by looking into Latin American national patrimonies and analyzing the ways in which “correct ways” of occupying the national state are constructed (García Canclini 1990).

Since it will be argued that what happens in the Greater Pittsburgh area in terms of the recognition and use of dispute processing alternatives is an example of hybridization, it is important to address the elements that in the literature have been identified as being part of this process. In particular, García Canclini recognizes three processes that occur in the period of hybridization: deterritorialization, decollecting, and the expansion of impure genres. In the first process of deterritorialization borders, which are heavily charged with symbolic repertoires of power and knowledge, become mobile. The second process, decollecting, is focused on the capacity that elites used to have to amass material collections of distinction, but that in a space of fast communication and access to knowledge is diminished. Ideas such as “fashion” or “style” predominate over previous understandings of “high” and “low” culture. This makes it harder to distinguish and enforce cultural “traditions,” having as such the power to disrupt existing hierarchies and relations of power. Finally, by impure genres García Canclini refers to cultural artistic expressions that are by nature syncretic and transcultural, cultured and popular, using as prime example the case of graffiti by *cholos* in the U.S. Mexican border and youth gangs in Mexico city (García Canclini 1990).

A more political interpretation of hybridity and hybridization is offered by Homi K. Bhabha, who looks at it as it relates with what he perceives is the intrusion of colonialism in the present time.

Hybridity is a problematic of colonial representation and individuation that reverses the effects of the colonialist disavowal, so that other 'denied' knowledges enter upon the dominant discourse and estrange the basis of its authority — its rules of recognition. Again, it must be stressed, it is not simply the *content* of disavowed knowledges — be they forms of cultural otherness or traditions of colonialist treachery — that return to be acknowledged as counter-authorities. For the resolution of conflicts between authorities, civil discourse always maintains an adjudicative procedure. What is irremediably estranging in the presence of the hybrid — in the revaluation of the symbol of national authority as the sign of colonial difference — is that the difference of cultures can no longer be identified or evaluated as objects of epistemological or moral contemplation: cultural differences are not simply *there* to be seen or appropriated. (Bhabha 2004:162-163)

Although clearly with a different focus, Bhabha is not far from Garcia Canclini's understanding of hybridity and its possibilities. He is much more explicit, however, in recognizing the subversive power of mimicry, which occurs when members of a colonized (peripheral) society imitate customs of the colonizer as a way of (opportunistically) hoping to access their power while also letting go of their own cultural identity. With mimicry comes the possibility of “mimetic subversion”, which occurs when in the act of mimicry the weaknesses of the dominant discourse are revealed to the one who mimics: “The menace of mimicry is its double vision which in disclosing the ambivalence of colonial discourse also disrupts its authority” (Bhabha 2004:126).

1.2.3 A summary: Framing transnational migration... and law

Given the community on which this dissertation is focused, that of Latino (transnational) migrants to the Greater Pittsburgh area, it is hardly surprising that scholarship on transnationalism is of importance. In this section, I will again make explicit the main points within this literature that help frame my methodology and analysis.

In the first place, the transnational model is at the core of this work, and is what explains the gaze into those ideas and understandings about norms and processes that regulate disputes that flow with the migrants themselves, as well as through their networks. The transnational model conceives of migration and adaptation as a constant flow between different places and cultures, a flow that occurs in great measure through the migrants' networks. In particular, the application of this model to the understandings of normative systems implies recognizing that "transborder citizens build on their social connections to form multiple systems of values, laws and familial practices, and to generate concepts and ways of relating to other people and to the state that differ from those operative in any one of the states to which they are linked" (Glick Schiller 2005:29).

Although the literatures on legal anthropology and international migration, including that of Latinos, share research interests and questions, the topics are hardly found together in the literature. It is not new to recognize that international migration, per se, is a clear source for a context of legal pluralism as it has been defined above. This pluralism refers not only to the multiple state legal systems under which international migrants live, but also the less explicit set of informal rules and understandings that individuals within a social field, understood as Moore defines it, would share.

Although seldom found in the literature as a topic of research, as Glick Schiller suggests the implicit rules and understandings that populations "bring within them" as they migrate can be interpreted as a system of customary law. One of the few works that can be found in this line of study is Monique Nuijten's work that identified specific topics in which the customs and understandings of Mexican migrants were at clear odds with those of the United States, where

they migrated: gender relations and the understanding of family, the relationship with the state law, labor relations and inheritance decisions (Nuijten 2005).

A second point from the literature on transnationalism that directly impacted the design of this dissertation is the recognition of the importance on the migrant's experience of the ways in which the border is crossed (Kearney and Beserra 2004). This distinction is further strengthened in the literature where it is suggested community networks play very different roles for blue-collar migrants and white-collar migrants. While most of the literature on migration and networks refer to lower-skills migrants, for high skills migrants, the literature has offered different explanations for migration in which community networks play a much lower importance, if any at all (Gaillard and Gaillard 1998; Meyer 2001; Poros 2001). It was in order to control for these observations, and to be able to grasp as much as possible the heterogeneity of the migratory experience that I structured interviews that allowed me to observe at least three different groups of migrants: blue-collar migrants, white-collar migrants, and spouses of American citizens, all of whom represent very different migratory experiences at the entrance and legal acceptance.

The third concept that is crucial in the analysis of the data generated by my fieldwork is that of hybridity. Having recognized in the previous chapter that a space of legal pluralism is feasible, not to say expected, in the context of migration, hybridity offers a model for interpreting that plurality. In the literature on legal pluralism it is repeatedly stated that the legal orders that coexist do so in constant interaction and flow; however, it hardly produces a way for conceptualizing this movement. The model of transnationalism and borderlands, with its gaze to individuals and their networks, along with that of hybridization offer such framework to this work.

Hybridity, in both of the main understandings here presented, refers to a process that occurs at the borders where margins meet a center, in which the center determines the dominant cultural and social norms. The context is one in which there is a dominant discourse that is morphed from the margins (in Garcia Canclini through appropriation and the creation of “impure genres”, for Bhabha by the blurring of cultural difference). In this dissertation, the concept of hybridity will be posed for the spaces where a central legal order faces alternative understandings of the legal. The main difference in this case will be one of placement. The main stages of hybridity both for Garcia Canclini and for Bhabha are in the peripheries, whether it is Latin America or the (ex)-colonies. In this project I look for hybridity in a center stage (the United States), but within a peripheral group, that of the Latino migrant. What is interesting in this context is that hybridization is not necessarily a process forced from outside; in this case the process is not a displacement from a center towards a periphery (as might be read in the Latin American case, where the “center” imposes itself from outside by pushing aside the local), but rather a movement of the periphery towards the center (which occurs when the migrant moves itself from the periphery to the center, at least geographically).

2.0 LATINOS²² IN THE GREATER PITTSBURGH AREA

Fieldwork for this dissertation was conducted in the Greater Pittsburgh area, located in Allegheny County. This is a region with a traditionally low concentration of Latinos that has experienced a dramatic population increase in the last decade, which in some literature has been called a “new growth area” (Cunningham, Banker et al. 2006). Even though awareness about the rapidly growing Latino population in Allegheny County is on the rise, the most predominant perception in the area remains that there are few if any Latinos in the region. This lack of awareness, coupled with how recent the arrivals of many of new Latino immigrants are, results in higher levels of social and cultural isolation (Documet and Sharma 2004; Documet, Green et al. 2008).

This chapter will examine the composition of the Latino population in the Greater Pittsburgh area. It will begin with a survey and history of immigration to the region in general, along with a broad composition of the local population. The next section in the chapter will focus

²² In this dissertation I use the term “Latino” instead of “Hispanic.” The main reason for this choice is that “Latino” has been the label of preference locally. In addition to this, I also prefer the term for theoretical reasons. The label Hispanic has been perceived as conservative and in line with a dominant discourse, seeing it as a response to the more radical political agenda of the term Chicano: identifying as Hispanic “signals cooperation” and moderation while Chicano meant militancy and confrontation (Gomez 1992). The Latino label, on the other hand, is regarded more as a conscious choice vis-à-vis the imposed label of Hispanic. It is also a term that can be used to underscore the political undertones of its existence. As Hayes-Bautista and Chapa argue, one of the major elements in building Latin American identity is its political relation with the United States. With this in mind, they “propose using a nationality-derived term, “Latino,” to describe a geographically derived national origin group, that has been constantly and consistently viewed and treated as a racial group, in both individual and institutional interaction while in the United States” (Hayes-Bautista and Chapa 1987::66). This goes quite in line with my view of the community as one still under construction, which relies partially but strongly on the shared experiences of its members while living in the United States.

exclusively on the Latino population, starting with a brief history of Latino migration to the area and followed by a description of this community and a perspective of its current situation, including the ways in which this community has become visible to the wider community, other observable aspects of it, and also some perceptions that Latinos themselves have about it.

2.1 IMMIGRATION TO PITTSBURGH

The history of the Pittsburgh region goes hand in hand with the history of the mass migrations that made of this city a prototypical industrial city of the 1900s. The earliest European migrants to Western Pennsylvania were French and English, and what were considered the first waves of migration of non-English to the region were composed by Welsh, Irish, Scot-Irish, German, Swiss and French. These migrants became the local elites, and also defined part of its sustaining religious character: by 1808 Irish Roman Catholics' growing numbers justified that a Catholic parish was created in the city (Faires 1989). Only in the 1830s did Pittsburgh become an actual manufacturing center, thanks to the foundation of several iron mills to exploit the local resources of coal and ore. With it came a first massive wave of migration, primarily from countries of those already established in the region and particularly from Ireland and Germany. By 1880, more than 156,000 people populated the city.

The German migration to Western Pennsylvania has been well documented, and symbolized the new diversity of the region, as few Germans spoke English and were clearly distinguishable from the already existent population. Germans clustered in the neighborhood that was then known as Dutchtown, which

inaugurated a pattern that would be replicated in subsequent ethnic settlements in the city: the businesses established by middle-class immigrants – those outside of industry – became, in conjunction with the religious and secular organizations that dotted these commercial areas, the most visible symbols of immigrant settlements. (Faires 1989:7)

However, the German immigrant population was heavily scattered throughout the region, and more than any other nationality in the region, “Germans were a fragmented immigrant group, divided by regional origin, class, religion, and political outlook” (Faires 1989:7). In time, Germans also founded various social organizations, from cultural to political in nature. Many of the associations springing in the region during the later 1800s were religious in nature, with Jews seeing a dramatic increase in the region during these years.

As industrialization in the Pittsburgh area gained momentum, the city saw a dramatic economic growth. Population continued to increase, particularly due to immigration: by 1890 more than 65% of the population were immigrants or the children of immigrants (Faires 1989). Most of the newcomers during these years came from Southern and Eastern Europe or from the Mediterranean, particularly Poland and Italy. Polish and Italians were able to secure jobs in the iron and steel industry, establish successful enclaves in the city and become homeowners (Bodnar, Simon et al. 1982).

The acceptance of new immigrants to the Pittsburgh region before the 1930s was not without conflict. Many “native” Americans found the assimilation of newcomers slow, and clear distinctions were made between foreign and local populations. In local publications, this was referred to clearly as the “problem” of the foreign-born, and it manifested as geographical segregation and employment prejudice, and had an important impact in the various labor conflicts that took place between working classes and industry owners in the region (Hays 1989).

Other countries from where minorities migrated to the region included China (which was severely limited by the Chinese Exclusion Act of 1882), Greece, Syria, and Lebanon.

Along with the downfall of the steel industry after the Great Depression, foreign immigration to the region slowed. Not even the immigration waves during the 1960s and 1970s that populated other cities of the United States change this trend. This explains the little similarity that the population mix in Pittsburgh has with other cities in the country.

Table 2: Foreign-born population in Allegheny County (2000)

Region / Country of birth	Allegheny County, Pennsylvania	%
Europe	21,709	45.0%
United Kingdom	2,592	5.4%
Germany	2,790	5.8%
Italy	5,617	11.6%
Russia	1,680	3.5%
Ukraine	1,212	2.5%
Asia	18,356	38.0%
China	3,903	8.1%
Japan	1,046	2.2%
Korea	1,834	3.8%
India	5,577	11.6%
Vietnam	1,082	2.2%
Africa	2,013	4.2%
Americas	5,916	12.3%
Canada	1,714	3.6%
Latin America*	4,184	8.7%
TOTAL	48,266	100.0%

* A detailed composition of the foreign-born population from Latin America is presented in Table 1.
 Data: U.S. Census Bureau, Census 2000. PCT19. Place of birth for the foreign-born population – Universe: Foreign-born population. Data Set: Census 2000 Summary File 3 (SF 3) – Sample Data.

In the last decades of the 20th Century, Pittsburgh had to reinvent itself and change from an industrial city, attracting mostly blue-collar workers, into a more service oriented city. Today, the city's economy is based primarily on health care, research at the university centers, the

finance sector, and is working hard at becoming a center for high technology. The immigrant population also mirrors these changes in the region, while still reflecting some of its past. By 2000, only 4% of the local population in Allegheny County was foreign-born, a dramatic difference from the previous century. And of that population, while still important numbers of Europeans populated the region, the numbers of Asians had quickly made up for the previous disadvantage. Latinos also started to appear, although continuing being a weak representation in the immigration numbers. The next section will focus on the little researched Latino immigration to the Pittsburgh area, and will include a portrait of the current Latino population in the city.

2.2 THE LATINO IMMIGRATION

Despite the little evidence that can be found about the Latino migration to the Greater Pittsburgh area before the 1990s, Latino migrants have arrived to the region for well over a century. When World War I cut off the flow of European workers thus creating unfillable job opportunities in the northern cities of the United States, although many of these opportunities were covered by blacks,

others were filled by Mexican immigrants, who came not only to the Southwest and West in greater numbers but reached such places as Chicago, Detroit, and Pittsburgh. This flow continued during the 1920s, when some five hundred thousand Mexicans were counted as immigrating to the United States, there being no quota for Western Hemisphere immigrants. (Daniels 2002:310)

In addition to these Mexicans, who in the early century mainly moved to Pittsburgh to work in the railroads, a considerable number of Cubans also arrived in the area after the revolution (Documet 2001). Until just a decade or two ago, the Latino population in the Greater

Pittsburgh area was very much composed of the scattered pockets that these Latinos had formed several decades ago, together with graduate students and doctors from all over Latin America who came to local universities, and students or tourists who decided to change their residential status (Documet 2001:111).

As a group, however, these Latinos were not recognized as numerous enough, or significant enough, to be treated as one of the migrant populations that made up Pittsburgh. Virtually no historical records can be found of a Latino presence in the Pittsburgh area, including publications that actively research migrant populations to the region²³ (Gordon 1971; Alzo 2006). For instance, in 1979 the Ethnic Studies Committee of the Pittsburgh Council on Higher Education compiled a list of resources on the ethnic and the immigrant in the Pittsburgh area, which included, among others, organizations and offices working at the government level, mutual benefit societies, ethnic organizations, churches, schools, general institutions, manuscripts, oral history collections and academic works. Not even one resource can be found in this work that caters to or describes the Hispanic or Latino community in the area (Wilson 1979). As a result of their particular history, the specific composition of the Latino community in Allegheny County in terms of national origin and education differed greatly from national standards. In its national origin, this community had an excess of South Americans when compared to the numbers in the United States as a whole, due to their overrepresentation in the group of students and professionals that stayed in the area. In year 2000 (see Table 3), no single country was the place of birth of more than 17% of the total of those born in Latin America in Allegheny County; the country where most foreigners were born in was Mexico, with a mere

²³ One of the few references to these immigrants refers to a single line in a historical account about “Spanish-speakers” replacing blacks in the brick-lining department of the steel mills, and hundreds of Mexican steelworkers who were brought to the city to counter local unions (Bodnar 1990).

Table 3: Latin American-born population in Allegheny County by place of origin (2000)

Region / Country of origin	United States	%	Allegheny County	%
Latin America:	16,086,974	100	4,184	100
Caribbean:	2,953,066	18.36	1,292	30.88
Barbados ⁺	52,172	0.32	71	1.70
Cuba	872,716	5.42	201	4.80
Dominican Republic	687,677	4.27	128	3.06
Haiti	419,317	2.61	97	2.32
Jamaica ⁺	553,827	3.44	413	9.87
Trinidad and Tobago ⁺	197,398	1.23	242	5.78
Other Caribbean ⁺	169,959	1.06	140	3.35
Central America:	11,203,637	69.64	1,092	26.10
Mexico ⁻	9,177,487	57.05	673	16.09
Costa Rica ⁺	71,870	0.45	62	1.48
El Salvador ⁻	817,336	5.08	57	1.36
Guatemala	480,665	2.99	110	2.63
Honduras	282,852	1.76	76	1.82
Nicaragua ⁻	220,335	1.37	-	0.00
Panama ⁺	105,177	0.65	112	2.68
Other Central America ⁻	47,915	0.30	2	0.05
South America⁺:	1,930,271	12.00	1,800	43.02
Argentina ⁺	125,218	0.78	331	7.91
Bolivia	53,278	0.33	15	0.36
Brazil ⁺	212,428	1.32	367	8.77
Chile ⁺	80,804	0.50	132	3.15
Colombia	509,872	3.17	156	3.73
Ecuador	298,626	1.86	109	2.61
Guyana	211,189	1.31	59	1.41
Peru ⁺	278,186	1.73	240	5.74
Venezuela ⁺	107,031	0.67	289	6.91
Other South America ⁺	53,639	0.33	102	2.44

⁺ These rows show countries whose population percentage out of all those born in Latin America at least doubles those from the national standard.

⁻ These rows show countries whose population percentage out of all those born in Latin America is half or less than those from the national standard.

Data: U.S. Census Bureau, Census 2000. PCT19. Place of birth for the foreign-born population – Universe: Foreign-born population. Data Set: Census 2000 Summary File 3 (SF 3) – Sample Data.

16% of the population (which amounted to just 673 people). This is a dramatic difference from the 57% of Mexicans out of all the Latin America-born in the United States as a whole. In the case of South America, while in the United States only 12% of the Latin American-born population is from this region, in Allegheny County it comprised 43% of the population.

Table 4: Educational attainment for the population 25 years and over (2000)

Highest level of education	United States (% of total)	United States, Hispanic (% of total)	Allegheny County, PA (% of total)	Allegheny County, PA, Hispanics (% of total)
Less than 9th grade	13,755,477 (8%)	5,075,850 (28%)	33,163 (4%)	337 (5%)
9th to 12th grade, no diploma	21,960,148 (12%)	3,617,496 (20%)	88,673 (10%)	829 (13%)
High school graduate	52,168,981 (29%)	4,038,959 (22%)	301,774 (34%)	1,521 (24%)
Some college, no degree	38,351,595 (21%)	2,847,623 (16%)	151,441 (17%)	998 (15%)
Associate degree	11,512,833 (6%)	782,410 (4%)	63,537 (7%)	317 (5%)
Bachelor's degree	28,317,792 (16%)	1,216,124 (7%)	154,369 (17%)	1,175 (18%)
Graduate or professional degree	16,144,813 (9%)	691,915 (4%)	98,214 (11%)	1,263 (20%)
TOTAL	182,211,639	18,270,377	891,171	6,440

Data: U.S. Census Bureau, Census 2000. P37. Sex by educational attainment for the population 25 years and over – Universe: Population 25 years and over. P148H. Sex by educational attainment for the population 25 years and over (Hispanic or Latino) – Universe: Hispanic or Latino population 25 years and over Data Set Census 2000 Summary File 3 (SF 3) - Sample Data. Calculations by the author.

In terms of educational attainment, the picture of Allegheny County offered by Census 2000 also showed a stark difference with the national numbers (see Table 4). While on the national level 28% of the Hispanic population had finished less than ninth grade, in Allegheny County only 5% were in this segment. On the other side of the spectrum, while in the United States as a whole only 7% of Hispanics had finished a bachelor's degree and 4% had completed

a graduate or professional degree (compared to 16% and 9% of the total population), in Allegheny County 18% and 20% of the Hispanic population, respectively, had finished these degrees, the latter number even being larger than the overall for the county population.

However, migrant composition from Latin America is thought to have changed dramatically in the recent years. The more recent wave of immigrants resembles more closely the national tendencies: the newcomers have fewer years of formal schooling, tend to hold service jobs, and are generally younger and with young children (Documet and Sharma 2004). They also include increasing numbers of undocumented and non-English speakers. Nevertheless, the general perception of there being few to no Latinos in the region remains, and is heightened by the scattered settlement of the population despite the recent formation of a few clusters (Jones 2005). This in and of itself is a critical and sharp distinction from previous ethnic migrations to the region.

Census 2010 indicates that there are now over 19,000 Latinos in Allegheny County, a 70% increase from the numbers in 2000. Although still a small percentage of the total population (about 1.5%), and as such still somewhat invisible population, Latinos are slowly gaining visibility. Before year 2000, little if anything could be found on Latinos in the printed mass media in the Greater Pittsburgh area. The earliest article on this population that I could locate is from 1999, very fittingly about Pittsburgh's 'invisible' Latinos and their recent emergence in the Pittsburgh area (Jones 1999). After this, only by 2003 is there an actual explosion of articles that in any way talk about the Latino community. In 2003 two articles mentioned newly formed services catering this community: a free clinic (Thomas 2003) and a job and services fair (Haynes 2003). By 2008 at least twenty-one articles were written on the local Latino community, with topics ranging from their very existence and characteristics (Jones 2005; Dyer 2006), their

political participation (Lord 2007; Sherman 2008; Sherman 2008), smaller everyday events from the community (Schwab 2006; Jones 2008), or simply the reality of undocumented Latinos in the area (Jones 2006). By 2009 a local newspaper in Spanish, catering exclusively to the Latino population in the area, was circulating.

Even as the population that can be called Latino in the Pittsburgh area has increased, it does not necessarily speak to the existence of a community as such. The next section will explore the meaning of community as it is experienced by Latinos in the Greater Pittsburgh area. Rather than assuming such community, this section will explore what the expectations of community might be for the area, and how they are expressed, if at all, by its individuals.

2.2.1 The Latino community

Pues sí, aquí toca. Aquí me enteré que era hispana. Es en serio, la primera vez que llené el formulario yo dije, “¿qué pongo?” Y me dijeron “hispana,” y yo dije “ah, bueno,” y yo puse hispana. Ahí me enteré. Para mí eso no tiene sentido. Para mí “latinos en Estados Unidos” me suena como a película. No, eso no es cercano a mí, yo no sé por qué.

[Well, yes, here it’s a must. Here I found out that I am Hispanic. Seriously, the first time I filled the form I said, “what do I put?” And I was told “Hispanic”, and I said, “ok” and I put Hispanic. That’s where I found out. To me, that makes no sense. To me “Latinos in the United States” sounds like a movie. No, that is not close to me, and I don’t know why.]

María²⁴

²⁴ In order to protect those who collaborated with this project, all the names used in this dissertation are pseudonyms.

The Latino community in the Greater Pittsburgh area, although unique in some of its demographic characteristics as it was explained above, is typical in its heterogeneity. This is a trait that Latinos across the United States share, and as such it has received considerable attention in the literature. One of the main concerns that arise from this heterogeneity is whether it allows for the construction of a unifying community. The case in Pittsburgh can very well be illustrative of this conundrum: given the vast differences that exist in terms of nationality, education, and even legal status within the group of people that are brought together under the Latino label, is it possible to talk about a single community? Can this people share a common collective identity?

Scholars have yet to agree on these issues. While some find it easy to use such a label to talk about Latinos as a community (Giordano and Torres 1986; Gracia 2000; Paz 2000; Stavans 2001), others argue strongly against it (Borjas and Tienda 1985; Giménez 1989). Although nobody actually doubts the artificial nature of the Latino label, and everybody recognizes that the people grouped as Latinos are vastly heterogeneous, the conflict arises in determining the advisability of maintaining, and using, such a label.

One of the main lines of support for the use of the Latino label, both politically and academically, stems from the work of Padilla among Mexican-Americans and Puerto Ricans in Chicago. According to his idea of “Latinismo,” situational inequalities among groups bridge whatever differences might exist between them. These shared inequalities, along with government policies that also stress the unequal distribution in ethnic terms, is precisely why a panethnic unity is needed (Padilla 1985). This model seems to be particularly relevant in areas that are considered “new growth areas,” as is the case of the Greater Pittsburgh area. In these areas the raw numbers of Latinos are so small that it is hard to conceive the possibility of nationality-based communities that are strong enough to become political forces. This is even

more the case as realities such as language barriers, or legal status barriers, are shared by most of the community. As Documet and Sharma have already recognized for Allegheny County as it relates to health, being small, heterogeneous and noncohesive can have negative effects:

It decreases available resources to help newcomers cope with stress, build a network, and feel connected. Feelings of isolation can lead to depression and increase risk of mental illnesses. Being a noncohesive community affects health care access in several ways. First, the pool of resources for alternative arrangements is small. Second, those resources are difficult to find. Third, loose organization precludes collective actions in favor of the group. (Documet and Sharma 2004:11)

Under these circumstances, and if Padilla is to be believed, new growth areas are spaces particularly suited for the use of the Latino label. These are places where inequalities not only exist, but are strengthened by the lack of available resources or political clout due to the low numbers and noncohesiveness. Latinos who are first-generation migrants are particularly prone to finding many of these instances of inequality, and the Greater Pittsburgh area is not an exception. Shared barriers can be found in the limited number of resources offered in Spanish, the lack of availability of others due to legal status, and unequal access to jobs and higher incomes.²⁵ Clear evidence of this limited access to economic resources is the household income reported by Latinos in the Allegheny County area in year 2000. Although as it was explained above the education level of Latinos to the region is considerably higher than that of Latinos in the United States and, in some levels, even higher than the local standards, the household income is not only comparable, but even lower than that of Hispanics at the national level. Thirty-eight

²⁵ Although this issue will be further discussed in future sections, it is important to stress that contrary to what common understanding seems to suggest, the limitations due to legal status are not drawn across the documented / undocumented spectrum. Due to migratory regulations, migrants who have a legal status are still unable to access a multitude of services and opportunities such as health insurance (which in Pennsylvania is free for all children who are citizens or legal residents, but not to any others who are legal but on a non-immigrant visa, such as the children of students or visiting scholars) or working opportunities (again, many legal but non-immigrant migrants are not allowed to legally work in the United States). “In other words, law is central to the construction of immigrants’ economic marginality and difference at the same time that the logic of the economics of alterité means that they share this exclusion with many who have formal citizenship.” (Calavita 2005:417)

percent of the Hispanic households in Allegheny County made less than \$20,000 in 1999, compared to 28% of the Hispanic households nationwide and 25% of all the Allegheny County households. And while the percentage of Hispanic households earning over \$100,000 was larger than that of Hispanic households nationwide (8% versus 6%), it is still smaller than the local percentage of 10% (U.S. Census Bureau 2000).

From an academic and political perspective, then, research on the “Latino community” makes sense. However, this does not mean necessarily that the experience of those sharing this grouping is the same. As De Genova and Ramos-Zayas say, the

Latino label, therefore, is inevitably configured in diverse ways in relation to the particular Latin American groups who vie with one another in specific locations. Furthermore, one of the central conflicts over the constitution of these locally-inflected notions of Latinidad ultimately involved the racialized stigma of an abject “minority” status that is unevenly distributed among distinct Latino groups. (2003:8)

While this section has discussed the pertinence of academically addressing the Latino community as such, particularly in the context of a new growth area and in the Greater Pittsburgh area, the next section will look further into the complexities that the group’s heterogeneity certainly presents. It will pay particular attention to the specific spaces and structures into which this community structures itself, and to the ways in which its members themselves think about and live this “community”.

2.2.2 Coming together, staying apart: thinking of a community

During my fieldwork, I talked extensively with members of the Latino community about what it means to them to be Latino, or Hispanic. These talks usually went through various twists and turns, and most of the times ended with conversations about food or the Spanish language.

Different people also positioned themselves differently vis-à-vis the community. Only two of the people interviewed in depth said that they did not meet at all with other Latinos also living in the area: one is a blue-collar migrant from Central America who originally entered the United States without documents but now is a permanent resident after acquiring a U visa;²⁶ the other is a Mexican wife of an American who finds that her husband wants her to remain disconnected from other Latinos in the region. However, a vast number of Latinos find themselves in similar situations to these women. As it was mentioned earlier in the methods section, this population might find itself somewhat underrepresented in this project.

The people who actually reported keeping some contact with other Latinos showed varying degrees of involvement with broader Latino community events or institutions. While everyone stated at least some knowledge of events and organizations that aimed Latinos, a little over half of them said that in one way or another they participated in them. These occurred indistinctly among the three categories of blue-collar, white-collar and spouses of American migrants.²⁷ However, as it will be developed in section 2.2.2.2, the types of activities in which they participate are quite different across blue-collar and white-collar migrants.

Regardless of their own levels of interaction with other Latinos or with Latino groups, I found some common patterns on the various ways in which Latinos perceive, and experience, the local Latino community:

²⁶ U visas are immigrant visas created by the Victims of Trafficking and Violence Protection Act of 2000 for noncitizen victims of crimes. In order to receive it, the noncitizen must have suffered substantial physical or mental abuse due to a crime committed in the United States and must be willing to assist authorities in investigating the crime or crimes of which they were victims.

²⁷ Both among white-collar migrants and blue-collar migrants, four out of seven interviewed participated in Latino organizations; in the case of the spouses of American citizens, four out of six said they did.

- 1) People do talk about the “Latino community of Pittsburgh” as something that actually exists, an entity, albeit a changing one. Generalizations about “how we Latinos are/ behave” or “how we are perceived” are common;
- 2) A broadly used way of conceptualizing the community is through the organizations that exist in the Pittsburgh region and are formed by or for Latinos (although there are broad differences in the personal opinions about these).
- 3) Everybody with whom I talked consider themselves “Latinos” (although some as María, quoted above, do so almost against their will), but they are also quick in pointing to the heterogeneity of this group. Three vectors that are used as markers of difference appear repeatedly: nationality, legal status, and education/ occupation. Despite this, several people (but definitely not all) who explicitly recognize these boundaries do so almost exclusively to debunk their importance.

The following sections will look in some depth into these ways in which Latinos living in Pittsburgh perceive their own community. Many of the issues that people refer to as relevant in explaining the community, are also issues that reappear in one way or another in the ways in which Latinos think and act about disputes, grievances, and the legal system of the United States. Thus, many of these topics will be further explored in later chapters, in particular as they illustrate the hybrid systems in which Latinos frame normativity, and the importance that these have in creating (or recreating) marginality.

2.2.2.1 “What we are like”

Although most Latinos have a hard time finding cultural traits that they share with other members of the Latino community, generalizing about what this Latino community is like

seemed much easier (and common). The answer that Gilberto gave me when I asked him about what he shared with other Latinos in the Pittsburgh region is illustrative of this:

No comparto mucho, cómo le diré. En la comunidad latina no comparto mucho la forma de... no somos unidos. El latino es muy desunido. Quisiera apreciar, pero de la comunidad latina no aprecio nada.”

[I don't share much, how can I tell you. In the Latino community I don't share much the way... we are not united. Latinos are very disjoint. I would like to appreciate, but from the Latino community I appreciate nothing]

As Gilberto was trying to point to me that he shared very little with the rest of the Latino community, in his answer he affirmed not only the existence of such community (by explicitly stating that he appreciated nothing about it), but he also qualified that community: “Latinos are very disjoint.” Both of these outlooks, although not their contents, were common throughout fieldwork. First, Latinos in general, and the Latino community of Pittsburgh in particular, are considered useful descriptors, albeit sometimes foreign; these concepts are treated as meaningful, and real. On the other hand, these concepts are also tied with generalizations about those who are grouped by them. These generalizations about Latinos and the Latino community can be found easily in everyday conversations, either referring to how Latinos perceive themselves as was Gilberto's case, or by expressing how they believe that they are perceived by outsiders. This was the case of Ana María, who commented to me as we were talking about the experience of renting an apartment in the Pittsburgh area:

Realmente no tenemos muy buena fama. Por eso es que te preguntan mucho de dónde eres y qué haces. Porque no tenemos buena fama de cuidar las cosas o de mantener las cosas.

[Really, we don't have good reputation. That is why they ask you all the time where you are from and what you do. Because we don't have a good reputation of taking care of things and maintaining them.]

While the ideas of how Latinos are perceived by outsiders tended to be similar regardless of who I talked with (some common perceived views that I found were that Latinos cannot speak

English, are undocumented, or are lazy), this was not the case on the self-perceptions of the Latino community in Pittsburgh, and opinions varied almost from person to person: during my fieldwork I heard Latinos in Pittsburgh describe the community as close-knit / disjointed, hardworking / lazy, forthright / deceitful.

When commonalities are found, it is mostly in comparing the different Latino cultures with other cultural referents that are perceived as more distant. Under this perspective, people talked about how between Latino cultures, in food “the likings are more similar than with Americans;” in music it

es muy variada pero sea cumbia, sea tango, sea música andina, toda esa se identifica como música latina. Yo creo que un mexicano que escuche un tango, puede que no se identifique como música mexicana, pero dirá esa es parte de mi cultura. Siente que es más suya que un americano.

[is very varied, but whether its cumbia, tango, Andean music, all of that is identified as Latin. I think a Mexican who hears a tango, perhaps he doesn't identify it as Mexican music, but he might say that is part of my culture. He feels that it is more his than an American.]

Enrique

Hence, while some people were able to come up with cultural similarities shared by Latinos (language, food, dance), as a cultural identity marker the label seems to work best in the context of migration vis-à-vis other more dissimilar cultures, including the host culture. This is completely coherent with a label that only exists in such a context, and that only has meaning within it. Some Latinos in the Pittsburgh area, in thinking themselves as Latinos in the community, search beyond cultural similarities. Very much in line with Padilla's idea of Latinidad and the commonalities intrinsic in shared inequalities, many Latinos recognize in one way or another that beyond the many differences that might exist between people thought of as Latinos, in the United States they share much. What is shared is, first and foremost, the experience of migration. Two issues about being migrants were specifically brought to my

attention in different ways by different people: shared racism (for the most part, but not exclusively, expressed among blue-collar migrants), and shared legal obstacles (expressed exclusively by migrants that were at the moment of talking with them legal, but regardless of blue-collar or white-collar type of migration).

The person who best described to me how racism impacts the Latino community at large is Juan. Juan entered the United States from his native country Mexico as an undocumented minor in his teenage years and went to jail facing deportation before becoming an adult. After a long and somewhat convoluted process he was able to become legalized, and he now works in the hospitality industry. Juan told me that he feels that although he is now a legal permanent resident, he feels no difference with other migrants who might be undocumented.

¿Y sabes por qué no me siento diferente? Porque pienso que con ser legal o ilegal somos las mismas personas, tenemos el mismo derecho y mira, yo siendo legal sufro de racismo porque muchos de los americanos dicen, muchos de los racistas dicen, yo les pregunto: “¿por qué sienten ese odio, ese desprecio hacia un latino?” y ellos dicen “porque son ilegales.” Esa es como una máscara nada más, por no decir la verdad que son ellos los que están mal por dentro que odian a otra persona. Yo les pregunto “¿tú crees que si yo me hago ciudadano americano entonces tú no vas a sentir ese odio hacia mí? Estás muy equivocado,” le digo. El sentimiento de ellos, son ellos. No tiene que ver con nosotros si somos legales o no legales. Es sólo por nuestro color nada más que ellos sienten el racismo, el odio, el desprecio. Nada más. Porque como te digo yo soy legal de hace más de 8 años, soy legal, y ni aun así he sufrido racismo y no es porque sea ilegal. Es por mi color, como me veo, como hablo.

[And you know why I don't feel different? Because I think that being legal or illegal we are the same people, we have the same right and look, being legal myself I still suffer with racism because many of the Americans say, many of the racists say, I ask them “why do you feel that hatred against a Latino?” and they say “because they are illegal.” That is only a mask, not to say the truth which is that they are wrong inside by hating another person. I ask them “do you think that if I become an American citizen then you won't feel that hatred against me? You are very wrong,” I say. Their feeling, it's them. It has nothing to do with us if we are legal or not. It is just our color, nothing else, that they feel the racism, the hatred, the contempt. Nothing else. Because as I tell you, I have been legal for over eight years, I am legal, and even so I have suffered racism and it is not because I am illegal. It is for my color, how I look, how I talk.]

The different ways in which discrimination is experienced, explained and reacted to will be discussed in another chapter (see section 3.2.2). For now, it allows understanding some of the glue that helps maintain such a heterogeneous community together. In addition to shared inequalities due to racism, the legal burden put on migrants is also considered a unifying factor:

Todos tenemos más o menos los mismos problemas. Por ejemplo, problemas de visa. Si son legales, también cruzamos esa barrera tan estúpida y tan ridícula realmente, tan ridícula, de que cuando tenemos visa H, no te permite trabajar. Y eso es tan ridículo. Y eso lo noto, y me lo han dicho hablando a diario con la gente la cantidad que tiene el mismo problema. Que te anulan, que realmente te ponen en una situación deprimente porque no puedes luchar por un buen trabajo, porque no hay cómo, hasta que entiendes entonces... Entonces qué pasa, todos los trabajos que tienes, que tienes que tener, son por debajo de la mesa. Y no está bien eso... Si uno es legal, tiene permiso, tiene todas las opciones habidas y por haber, estudió en su país... eh no no no no me cabe en la mente como como todavía pueden seguir estas leyes. Totalmente me siento identificada a toda la comunidad.

[We all have more or less the same problems. For example, visa problems. If you are legal, we also cross such a stupid and ridiculous, really, ridiculous, barrier that is that when you have the H visa,²⁸ you cannot work. And that is so ridiculous. And I notice that, and people have told me daily, so many that have the same problem. That they annul you, that really they put you in a depressing situation because you cannot fight for a good job, because there is no way, until you understand then... Then what happens, all the jobs you have, all the ones you have to have, are under the table. And that is not ok... If you are legal, if you have a permit, you have all the opportunities available, you studied in your home country... no no no no, I cannot understand how it is that this laws still exist. I absolutely feel identified with all the community.]

Ingrid

Both Juan and Ingrid offer perspectives that fully fall within the realm of shared inequalities that allow for the conception of a Latino community. Focusing less on the structures that create that inequality and more on the thought processes that prompt her to seek that community on a daily basis, María, the same woman who told me that she feels that the term

²⁸ H visas are work, non-immigrant (although they allow application for permanent residency), visas. In this case Ingrid was referring to H4 visa holders, which is the visa for family members of H1 visa holders. While H1 visas are work visas and thus allow their holders to work legally in the United States, H4 visa holders (that is, all the dependents of H1 visa holders, which includes their spouse and children) are not allowed to work legally in the United States.

Latino is foreign to her, shared with me what she felt about the relationships that she has forged with other Latinos while living in Pittsburgh. As she was telling me of all the help that she has received from her friends, some of whom also participate in a local organization, she shared with me why she thought keeping and nurturing these friendships, through mutual help, was important to all of them.

Todo el mundo está tratando de sentirse cerca al país, es como buscando un grupo que te haga más persona, que te haga más digno. Como migrante tienes un montón de estigmas y un montón de prejuicios encima, que aplican en el momento que se necesita que apliquen. En el momento en el que el país receptor necesita que seas un ladrón, es muy fácil que te tilden de ladrón. Así mismo de ignorante, sucio, desorganizado, mentiroso. Para mí estos grupos lo que hacen es como un acuerdo tácito de lealtad. Yo te voy a considerar una persona honesta, limpia, juiciosa, yo no sé. Esa es mi percepción personal de porque uno termina juntándose con otros latinoamericanos. Eso es como un sentimiento mío.

[Everybody is trying to feel close to their home country, is like looking for a group that makes you feel more like a person, more honorable. As a migrant you have a lot of stigmas and a lot of prejudices that will work when they need to work. In the moment in which the host country needs you to be a thief, it is very easy for them to call you a thief. In the same way they can call you ignorant, filthy, disorganized, liar. For me, these groups what they do is an implicit loyalty agreement. I will consider you an honest, tidy, judicious, I don't know. That is my personal opinion of why you end up mingling with other Latin Americans. That is a feeling of mine.

Hence, being a Latino is comprised by several levels of identity formation. There is one level of cultural similarity, which is in and of itself somewhat weak. Although some Latinos are able to trace cultural elements that bring them together with other individuals also being called Latinos (such as eating rice, dancing salsa or enjoying soccer), most of them also see the weaknesses of such generalizations. Rather, they serve as a unifying element only when thought in opposition to the "American culture." Other Latinos see their connection with other members of this community, rather than on cultural similarities, on the shared experiences they have as migrants who speak Spanish. They share the same preconceptions from non-Latinos about what it means to belong to that label, they share the feelings that the label generates in those people,

and they share a similar legal treatment. A combination of these two levels, the cultural and the systemic, prompts many Latinos to participate in events or organizations aimed at the Latino community. Although not everybody participates in them, Latino events and organizations are a strong and commonly used referent to assess the existence, and strength, of an actual community. Even people who were not involved in any of them knew of the existence of some of these, and interpreted this as proof of there actually being a Latino community in Pittsburgh. This emphasis on the different ways in which Latinos locally organize themselves and meet with each other was also something that I found recurrently during my fieldwork; as I talked with people or attended such events, my attention was constantly directed to organizations, events, and services that targeted the Latino community. In the next section I will look further into some of the history of the organizations and services that have existed in the Pittsburgh region catering the Latino community, in an attempt to use them as mirrors of this rapidly changing group.

2.2.2.2 Organizing a community

Although still barely visible today after the most recent population growth, Latinos in the Pittsburgh area have been establishing themselves in organizations for decades. The first groups and events that formed did so around either the umbrella of a shared Latino culture or a national origin. This was the case of the Latin American Cultural Union (LACU), the Coro Latinoamericano, and a number of nationality-specific associations. By the early 2000s, other organizations that mirrored the Latino population in the area at that time, in particular its high levels of education and professionals had been formed. That is the case of the local chapters of the Hispanic Chamber of Commerce (born in 1995, restructured in 2004) and the Society of Hispanic Professional Engineers. By year 2001, when Patricia Documet offered one of the earliest in-depth descriptions of this community (Documet 2001), heterogeneity was clear but

formal organization otherwise was quite limited. Since then, however, other types of organizations also started to appear: the Hispanic Center, Inc. (now closed, with the mission to assist families relocating to the Pittsburgh area), the SALUD group (a bilingual group of medical students for Latinos without health insurance), Salud para Niños (a bilingual pediatric clinic), a social services office for the Comunidad Católica Latina (now closed, although there is a weekly Spanish mass), “9 Lunas...” (a support group for pregnant Latino pregnant women), a Spanish office in Catholic Charities, and Jóvenes Sin Nombre (a Latino youth group). In addition to this, a yearly “Feria” was organized, bringing together service providers that cater to the Latino community to a site where Latinos could find information about such services and jobs. Many of these latter groups targeted mostly the newer arrivals to the area, offering services to non-English speakers in blue-collar jobs.²⁹ In a sense, looking at a history of the Latino organizations in the Pittsburgh region offers a glimpse into the history of the community itself in the area, and the people that make it up. As such, these organizations in a way also mirror the current composition of the Latino community in the Pittsburgh area. It is without a doubt a community that in the last decade has moved steadily towards higher levels of organization, although still quite limited and small when compared with cities that have received larger Latino immigration.

How people relate, or not, with these organizations also offers a glimpse of this community and how its members conceive of it. Although recent newcomers tend to participate only in welfare organizations, mainly as recipients, some of the participants in the older organizations also maintain some linkages with those dealing with newcomers. There is also an significant number of Latinos in the region that do not participate actively in any of these civic

²⁹ In addition to these services that cater directly to Latino arrivals to the region, there are other services that are offered to the immigrant community in general, such as English as a Second Language classes, which are offered for free in multiple venues and by multiple organizations throughout the city.

organizations: some of them do tend to maintain personal networks with important numbers of Latinos, while others live particularly isolated from the developments of the Latino community.

Regardless of how they thought about the Latino community, virtually everybody with whom I met during my fieldwork made a reference of either Latino organizations, services or events as a way of talking about the community as a whole, and particularly of its strength. Either way, in order to make their points of why there is, or not, a community, almost all referred to the organizations that already exist in the region (or that have ceased to exist). Carlos, a health-care professional, told me that although he knows that there are many Latino students in the area, he has no time to meet with them. He didn't know of any organization that worked for Latinos in general in the region, but he did know that there were several nationality specific groups. Even Gilberto, who was quoted above for not finding much he liked about the Latino community in Pittsburgh, said to me that what is needed is a community that organizes itself not exclusively around *fiestas*, as he feels it is doing currently, but rather around education. He believes that the few spaces that can be called "Latino" are actually mediated by individuals who only work for their self-interest. Again, thinking about community is done by thinking about the organizations and services that the Latino community has (or ought to have).

Although most people find it easy to think about the community in terms of its organizations and events, in the in-depth interviews that were conducted for this project the types of organizations that were mentioned differed between blue-collar and white-collar respondents. The single institution that was most widely recognized was the church, although two of the respondents (one spouse of an American and the other a blue-collar respondent) did so only to specify that they did not participate in it, and that many other Latinos were like them. If the rest of Latino organizations are divided between those primarily focused with cultural issues, those

around a common national origin, professional organizations, and organizations providing services to the Latino community, some important distinctions can be found between the different respondents to the interview. National origin organizations were only mentioned by white-collar respondents or spouses of U.S. citizens, even for cases when no organization existed for their specific country of origin. Only two people mentioned professional organizations, and again none of them was blue-collar. Actually, with only one exception, all the organizations that blue-collar respondents mentioned were either the church or organizations offering services to Latinos in the region.

Table 5: Types of Latino organizations identified by interviewees

Category	Church	Cultural	National	Professional	Services
“white-collar”	✓			✓	
					✓
			✓		✓
		✓	✓		
	✓	✓	✓		✓
“blue-collar”			✓		
	✓				
	✓	✓			✓
					✓
	✓				✓
					✓
spouse of U.S. citizen		✓	✓	✓	✓
	✓	✓	✓		✓
	✓	✓			
	✓				
			✓		✓

Although these are by no means striking results, they do help recognize the existence of a clear divide within the Latino community. Spaces are not equally shared, and access to them appears to be somewhat limited to some Latino populations. The next section will explore some more these internal divisions that exist within the Latino community, and the ways in which they are understood and explained.

2.2.2.3 Together, but not the same

Even as Latinos in the Pittsburgh region recognize this ethnic label as theirs, most of them find it easy to pinpoint the various differences that exist within the group. During fieldwork, three issues appeared to be particularly relevant in marking difference within Latinos: nationality, legal status, and education. Latinos in the region appear to be particularly aware of these markers, and depending on the situation use them to create distance or to question it.

Nationality is the marker of difference that Latinos most openly recognize and talk about. It is actually a topic that appears recurrently in everyday conversation when Latinos from different countries stumble upon matters of cultural difference. Some of the common issues upon which this tends to happen are language or food, as differences across countries on them are strong. Several times during my fieldwork I spent time trying to find the different names given to food items in different countries. In my volunteering work at “9 Lunas...”, a lot of time was devoted to “translating” some common words used by new mothers (such as bottle, pacifier, or stroller) to the Spanish slang of different Latin American countries. For several months during the fall of 2008 I was invited to join a group of six women from different nationalities who came together on Fridays to cook for each other and learn about the different countries cuisines, and just agreeing on the names of the ingredients allowed for hours of conversation. As Ana María, a Chilean, told me about cultural differences across the Latino population:

Somos tan diferentes a pesar de ser todos latinos que lo único que tenemos en común es que hablamos español, porque de resto es como guau, somos como de otro mundo. Las costumbres, la comida, el modo de vida... incluso hablando español, lo usamos todos pero muy variado, muy distinto. De repente a veces creo que lo único que tenemos en común es que nos podemos comunicar en español. (...) ¿Y sabes qué? Últimamente he conocido gente que ni siquiera habla español. Son como descendientes de aborígenes de Nicaragua, de México, y no hablan la lengua española sino que hablan un... le llaman gerundio que es como un lenguaje particular y es... guau... Yo digo, ni siquiera en español nos podemos comunicar porque están todo el tiempo “¿qué? ¿qué?”

[We are so different although we are all Latinos that all we have in common is that we speak in Spanish, because besides that it's like, wow, we are like from different worlds. Customs, food, the way of life... even speaking Spanish, we all use it but very varied, very different. Sometimes I believe that all we have in common is that we can communicate with each other in Spanish. (...) And you know what? Lately I have met people that don't even speak in Spanish. They are like aboriginal descendants from Nicaragua, from Mexico, and they don't speak the Spanish language but a... they call it a gerund that is like a particular language and it's... wow... I say, not even in Spanish can we communicate because they are all the time “what? what?”]

For some others, specifying which are the cultural differences between different nationalities seems harder to do. Miguel, native of the Dominican Republic, has had a very hard time feeling close to other Latin Americans; he actually talks about Latin America as something different from his own country, which is placed in the Caribbean.

Son bien diferentes en Latinoamérica. No sé, la forma de cada latino de... no sé, de... culturalmente es diferente que como en la República Dominicana. No sé cómo explicarlo. No puedo, no tengo como explicarlo, yo sé que es diferente culturalmente. No sé. A lo mejor yo estoy equivocado, a lo mejor soy yo que no tengo interés, yo dejé casi todos mis amigos allá. Vengo aquí y esa gente... no trabajan conmigo, no los veo sino de vez en cuando. No los veo, o viven muy lejos. Después me doy cuenta que cuando los veo más seguido no me siento tan cercano como la gente en República Dominicana que los veía todos los días.

[They are quite different in Latin America. I don't know, the way in which every Latino... I don't know... culturally it is different from the Dominican Republic. I don't know how to explain it. I cannot, I have no way of explaining it, I know it is culturally different. I don't know. Perhaps I'm wrong, perhaps it is me that is not interested, I left almost all my friends there. I come here and this people... they don't work with me, I don't see them often. I don't see them, or they live far away. Later I find that when I do see them more often, I don't feel as close as with the people in the Dominican Republic who I saw every day.

For other people, rather than seeing the differences in specific cultural traits that feel foreign, they perceive nationality as a relevant factor how it affects their interaction with other members of the Latino community. I received this comment from people from different occupations, levels of education, and countries. A Mexican undocumented mother of two shared with me that she did not want to continue visiting a specific business because the woman who worked there was from Puerto Rico; she told me that she felt treated differently by her. A Venezuelan doctor told me that, although not excluded as such, he did feel different and not included for being from Venezuela; he thought that people tend to gather with people from their same country, or at least he felt this is how it happened with the people with whom he works. The strongest words came from Rosa, a Peruvian woman who worked in the service industry:

También ahí hay discriminación, dentro de la comunidad. Simplemente la percibes, no te puedo decir quiénes son pero... en la misma iglesia tú la percibes. Porque no todo el grupo de la iglesia se junta contigo, te saluda. Uno trata de ser cordial, pero hay unos mexicanos que ellos se reúnen con sus mexicanos, ellos no se reúnen con otro grupo. (...) Uno trata de ser amable, y de ser cordial y de ser amistoso, pero no te dan la entrada.

[Even there you find discrimination, inside the community. You simply perceive it, I cannot tell you who they are but... even in church you can feel it. Because not everybody in church socializes with you, or greets you. You try to be nice, and be cordial and be friendly, but they don't accept you in the group.]

Although I never witnessed first-hand any open instances of discrimination due to nationality within the Latino community, it is easy to recognize that individuals do seem to interact primarily with people from their same nationality. The several organizations that exist in the region based on national origin, along with the various events that they sponsor, can be an illustration of this. In my work as a volunteer I often found that individuals who attended the different organizations on any specific day tended to be from the same country, and this was because they used to come to group together. However, data from my interviews seems to suggest a much more open picture of Latinos' networks that does vary across the three categories

that I identified. The group that on average had the greatest number of friends in their support network living in Pittsburgh that were from their same country were blue-collar migrants, with 37% of such acquaintances coming from the same country, closely followed by white-collar migrants (34%). Not surprisingly, spouses of citizens had the lowest average percentage of supporting friends in Pittsburgh from their same country (only 14%). When controlling for family members, however, white-collar Latinos in the sample do show a slight preference for friends from their own country: a little over half of the acquaintances from the same country for blue-collar countries are family members, compared to white-collar migrants who have quite few family members living in the Pittsburgh area (only 3% on average). This, of course, is also coherent with the different types of migrations expected from blue-collar and white-collar migrants, with the former having a greater dependence for migration on family and friends' networks.

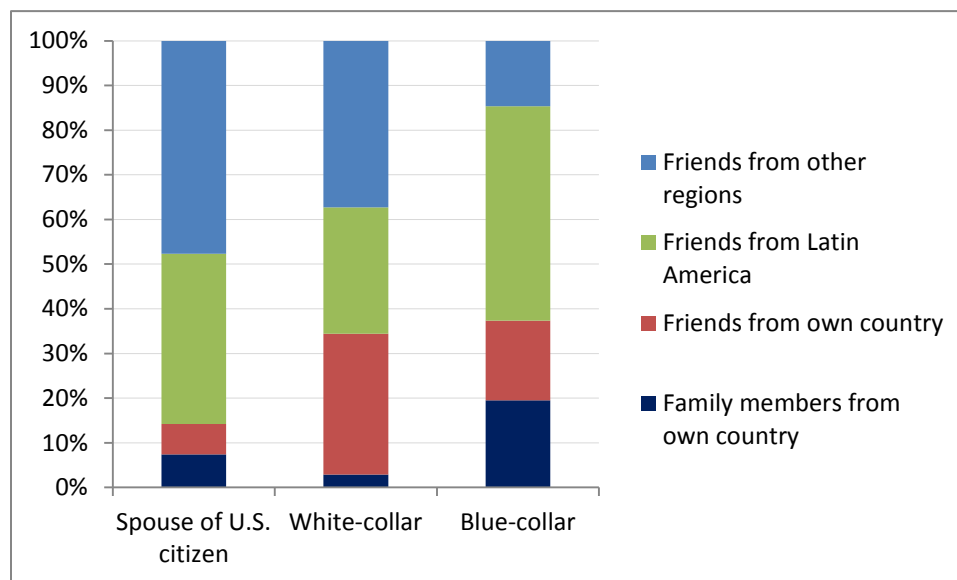


Figure 1: Average percentage of reported acquaintances (non-service providers) living in the Pittsburgh area

Contradicting the assumption of particular preference for same country relationships, the support networks of the Latinos interviewed for this project suggest that at least for blue-collar migrants and the spouses of U.S. citizens, a higher percentage of Latino supporting friends comes from countries different than their own, partly due to the heterogeneity of the Pittsburgh population and the small numbers of Latinos. Only for white-collar migrants is there a stronger preference for same-country friends (aside from family members), which again goes in line with the origin of all the nationality based organizations in the region.

A second line through which Latinos in the region recognize internal differences is that of education. Even within single nationality organizations, some Latinos felt the difference on this marker. This was the case of Magdalena, a woman from Colombia who came to the United States as the spouse of an American citizen. She told me that she had noticed that most of the other Colombians that she has met are in the region to finish their graduate studies, and she realizes that her situation is quite different. She actually used this distinction as the main reason why she does not participate in the group of Colombians. Julio, a well-educated immigrant from Ecuador, confirmed to me the importance he gave to education as a marker.

La comunidad es inmensa pero todo el mundo se divide a nivel de educación. (...) Tiene el efecto de que tú generalmente tratas de buscar amigos que tienen cualidades comunes como tú. Y siempre tratas de mantenerte dentro de un círculo, dentro de personas que tienen cosas comunes. Sabes que existen más, pero generalmente el nivel de interacción no es el mismo.

[The community is huge but everybody is divided by their level of education. (...) It has the effect that you usually try to find friends that have similar qualities to you. And you always try to stay within a circle, within people that have things in common. You know there are more, but for the most part the amount of interaction is not the same.]

Julio

The fact that internal differences are perceived along educational and professional lines is nothing to be surprised of when the history of Latino migration to the Pittsburgh area is taken

into account. Given the strong differences that exist between earlier Latino arrivals to the region and the newer wave, it should be expected that Latinos themselves notice the differences, even more recent arrivals.

Also, most of the white-collar migrants I interviewed for this project told to me at some point of our meetings that they thought that their experience was not relevant for my study, as it was not representative of the Latino experience. Carlos, a health-care professional, told me repeatedly:

Ahora, mi perspectiva es desde el punto de vista de una persona que es profesional y que tiene un trabajo acá, que es distinta de la perspectiva que puede tener una persona que es latina y que viene a hacer un trabajo que no necesariamente es para lo cual esta persona esta entrenada.

[Now, my perspective is from the point of view of someone who is a professional and has a job here, which is different from the perspective that some other person who is Latino but comes here to do a job that is not what they are trained for might have.]

This recognition of the existence of different types of Latinos in the region is closely related with another trait that the new arrivals bring besides lower levels of education: undocumented status. However, this other topic is something that was less explicitly mentioned, particularly by white-collar migrants. Legal status has become an increasingly relevant marker of difference as the migrant Latino population has changed. However, and although I could perceive its importance through several indices throughout my experiences in the Pittsburgh area, it is still a topic that many find hard to openly discuss, particularly those who are not undocumented. During my fieldwork, talking about legal status with undocumented Latinos proved relatively easy after some rapport was built;³⁰ talking *about* the undocumented population in the region, however, was something much harder to achieve with legal migrants. For the group

³⁰ The burdens it entails, the fears, and the impact it has on everyday decisions (particularly as they relate to disputes) is something that will be further discussed in later chapters.

of “9 Lunas...” the relevance given to this issue by many documented Latinos became clear time and time again as the organization tried to create and sustain ties with other Latino organizations in the region. Although nobody ever told me directly that they thought that the potentiality of the group working with undocumented Latinos was not something they supported,³¹ I did hear several times from other organization directors that their constituency was concerned about this issue. The reason for this concern was usually the potentiality of the local Latino population becoming identified with this newer wave of migrants, which would blur the professional and educated nature that it traditionally held. This third hand account of displeasure with the incoming undocumented population was also shared with me by María, who told me:

Yo muchas veces le he oído decir a muchos amigos cercanos que de pronto hay ciertas comunidades a las que ellos no se sienten como relacionados, específicamente las comunidades de latinos ilegales en el país. Yo no me siento distanciada, yo no siento que haya una distancia por factores legales, religiosos, de género. Yo me siento muy cercana a la comunidad latina en el extranjero.

[I have many times heard many close friends say that perhaps there are certain communities with whom they do not feel related, specifically the communities of illegal Latinos in the country. I do not feel distanced, I do not feel that there is a distance due to legal, religious or gender factors. I feel very close to all the Latino community in a foreign country.]

A tension exists across legal status lines, one that is felt most strongly from white-collar, professional Latinos. Comments about legal status as something that creates difference, even if it is to debunk it as was María’s case, are found most commonly in white-collar circles. Although legal status is an important topic that does appear in everyday conversation among blue-collar migrants, it is not usually to use it as a marker of difference within the community, but rather as a relevant fact to understand the migrant experience. As when Perla explained to me why the

³¹ “9 Lunas...” does not ask its participants about their legal status. In fact, through informal conversation with the mothers it is clear that the group is heterogeneous in this sense, and has had an important number of U.S. citizens, permanent residents, and visa holders. However, in the wider community, perhaps due to the nature of its work, it is usually perceived as working almost exclusively with undocumented families.

people she knows do not gather so much. “Sometimes we don’t meet for legal problems, due to fear, because you cannot move from one place to another... just that, fear.” While for the white-collar migrants the newly arrived Latinos appear as quite visible and sometimes threatening “others,” for blue-collar migrants it is almost as if those other migrants, the white-collars, exist in a less visible, and less “othering” space.

2.2.3 Summing it up: research among Latinos in the Greater Pittsburgh area

The Latino community in the Greater Pittsburgh area, which is the focus of this project, is a small but rapidly growing community. As is the case with Latinos in general, it is vastly heterogeneous, divided primarily across markers of nationality, educational and legal status. Despite this internal variation, research of the community remains relevant and valid. On the one hand, although still clearly in formation the Latino community in the area is widely recognized by most Latinos as existent, although showing different levels of interest on it. This existence is also supported by the multiple organizations by and for Latinos that are present in the region, even as they mirror the heterogeneous nature of this population. More importantly, Latinos in the Greater Pittsburgh area do share, in Padilla’s words, an inequality that is perceived across all the strata in the community. Differential treatment by the law (as in limitations to legal work or the right to receive certain social privileges), as well as differential treatment by people and organizations, support the decision of treating this group as a community for research purposes.

3.0 PROCESSING GRIEVANCES: A CONTEXT

This chapter will provide both practical and theoretical contexts that frame the experience and analysis of the ways in which Latinos in Pittsburgh process their grievances as they are examined in this dissertation. A first section will discuss first-hand experiences of Latinos with the American legal system, which are used by Latinos to contextualize and interpret their understandings of the American legal system and their position vis-à-vis this system. In this section I argue that these experiences are in themselves hybrid processes in which each individual's previous ideas about the legal system in general, and the American legal system in particular, are changed or reinforced by new experiences within the new legal framework. The resulting hybrid construction is then used as a referent and a context by Latinos when dealing with grievances. A second section provides a revised theoretical context within which Latinos' processing of grievances is analyzed. This section provides a broad definition of grievance that allows examining particularly early stages of the grievance process, including the forces that are at play in them. Structural grievances, such as discrimination, are presented as an example of a type of grievance that is easily recognized using this broad understanding of grievance. A third and final section will explore the ways in which the hybrid normative systems of Latinos help frame what is recognized as a grievance, thus defined, in the first place. In particular, the plural sets of norms that can be used to identify a grievance are presented as a key aspect of Latino recognition of grievance. These ways of recognizing grievances provide the context within

which the grievance cases studied in the next chapter come to life for Latinos who face them and process them, a context that once more is composed of a hybrid mix of normative systems.

3.1 EXPERIENCING THE AMERICAN LEGAL SYSTEM: FINDING A PLACE

As a first step into contextualizing the experience of legality by Latinos in the Greater Pittsburgh area, in this section I will focus in the experiences of Latinos with the most visible official legal institutions. Although the judicial system is scarcely used by Latinos voluntarily, Latinos do eventually face the courts or other institutions that represent the American central legal order such as the police or attorneys. While the in-depth interviews support a very limited use of the court system, with only three cases out of 199 being solved by voluntarily bringing a case to a courts attention, the truth is that many Latinos have had at least some first-hand experience of the American court system (in the in-depth interviews, twelve out of twenty had been in an American court). All of them, however, have had some contact with either the police or an attorney. These experiences are important for Latinos in building their own understandings of the American legal system. Additionally, they also provide an interesting context in which Latinos use both the actual experience and their previous understandings of legality and its institutions (even if it referred to the normative system in their countries of origin). In other words, the experiences of Latinos in the Greater Pittsburgh area offer a first context in which this community makes use of a hybrid legal referent to frame their experience.

Although most Latinos express their frustration about their limited understanding of the American legal and social system, they also are eager to share whatever little knowledge they have gained from their own experiences as migrants. Most Latinos, when they learned about my

research interest in grievances and the understanding of legality, were eager to share with me what they had learned about the American legal institutions and their expectations. In the in-depth interviews, comments on this line were common when I asked an open question about anything they felt was important for me to know in order to fully understand their grievance experiences as migrants. At this point, most of them shared with me what they felt they had learned about the American legal system and its institutions from their own experience. Given its importance in building that understanding, this chapter will look in some depth what this experience of legal institutions has been for Latinos, and how it has helped shape their hybrid systems of norms and values.

3.1.1 First-hand experience:

Las leyes mientras uno las sepa manejar son manejables. Las leyes no son el problema.

[The laws as long as you know how to deal with them can be navigated. The laws are not the problem.]

Ana María

As it was discussed in chapter 1.0 the idea that legal systems are not static entities but rather malleable so that they can be molded in accordance to individual people's needs, in particular as it relates to transnational migrants, is not new. Susan Coutin's work, which acknowledges the multiplicity of law in the context of undocumented migrants and how they navigate the system in the quest to achieve legality (see chapter 1.2.1) is an example of this perspective. Rather than focusing in spaces where law and its multiple facets are manipulated to reach a particular goal, in this dissertation I look at the Latino migrants' general experience of legality, that is, at the broad conceptions of norms and values that they utilize in everyday life. Those normative systems that

explain Latinos' behavior are partially molded by their experience in the United States, creating a hybrid composition between norms and values from the home country and those from the new host community.

Juan, the legalized man who entered in the United States as an undocumented minor (chapter 2.2.2.1), had his first experience of the legal system when he was arrested a second time for illegally crossing the border. He was asked to sign his deportation documents, but before sending him back to Mexico they realized he was a minor and sent him to a shelter in California; once there, he could not be deported because he was not an adult, so he had to stay there until he turned eighteen. In the shelter Juan met some law students who regularly visited offering pro-bono legal advice; they were the ones who first introduced Juan to some of the rights that he had merely by being in the United States, and they later represented him in a process in which they argued that due process had not been followed in his case. It was then and there that Juan learned he had a right to have an audience, to be informed of his rights, and also that political asylum and other options for legalizing his situation actually existed. Shortly afterwards Juan visited an American court for the first time, and less than two months later his deportation was annulled. Two years later, he was granted political asylum. Juan describes both processes as easy and positive: in both cases the judgment was in his favor, and he didn't have to pay for any services. Overall, Juan worked with five different attorneys and met one judge, who made a particularly deep impression on him:

Tuve la suerte también, la jueza era muy buena también, humana. Como que yo le toque el corazón a ella, le daba lástima. Ella era la esposa del mero jefe de inmigración de allí de la región y claro, eso ayudó mucho. Ella como que sí estuvo a mi favor, eso me favoreció, todo eso. Ella me demostraba su afecto hacia mí, me hablaba, se reía conmigo, me hacía chistes. Y claro, un juez, que nunca sucede eso. Y a veces estaba yo adentro: "Hola Juan, como estás." Me habla así. Incluso en la misma corte me preguntaba que si estaba hablando inglés, me preguntaba entonces en inglés.

[I was also lucky that the judge was very good, humane. Like I touched her heart, she felt pity for me. She was the wife of the immigration chief in the region there, and of course that helped me a lot. She was on my side, that was favorable, all of that. She demonstrated me her affection, she talked with me, she laughed with me, she joked. And of course, a judge, that never happens. And sometimes I was inside: “Hi Juan, how are you.” She speaks to me like that. Even inside the court she asked me if I was speaking in English, she asked me things in English]

For Juan, these experiences have been of profound importance in learning about the legal system of the United States, and the rights and responsibilities while in the country. It has also reduced his anxiety about having to face the courts or the legal system and shaped his reliance on the court system, which is very strong. Some months before I met Juan, he had been involved in a confusing situation with the police in the Pittsburgh area: when waiting for a friend who worked in the construction industry, a fire broke out and they called the emergency service. When the police arrived, instead of focusing on the fire they asked the men for their legal documents. One of them was deported. This was a very emotional experience for Juan, and it had a strong impact on his perception of the police. By the time I met him, however, he was thinking about “taking the case to court” by making an official complaint about what had happened that day. For many months he had been resentful of the police as a whole, but by the time I talked with him he claimed that he understood that what he experienced represented only the view of some individuals in the force. As we talked, it was clear that his previous experience with the courts made him believe in the system as a whole, and its fairness.

Juan is one of the Latinos that I have met with most first-hand experience of the American legal system, and this has had a deep impact on his familiarity with the system and on his overall perception of it as a reliable source of “justice.” For other Latinos the experiences have been fewer, and usually not as involved, but in most cases they have also created an important impact on the overall perception of the American system. In this section, the first-hand

experiences of Latinos with the American legal system will be presented. When appropriate, how these experiences affect Latinos' perception of the local system and how they respond to it will also be discussed. This will illustrate how the hybrid normative systems addressed when making decisions dealing with grievances, which will be mentioned later in this dissertation, are formed. The section is divided according to the institutions with which Latinos most commonly have a first-hand experience of the American legal system (although, as Juan's case shows, they aren't always neatly separated).

3.1.1.1 Police

The most common experience that Latinos have with an institution or servant of the official legal system in the Pittsburgh area is with the police. Twelve people out of twenty interviews in-depth had actually called the police themselves at some point, and all of the remaining eight had had some other type of encounter with the police (some of them were not direct, but were considered important enough by the people themselves). Not surprisingly, then, most Latinos have built some understanding of the police and have personal, or at least second-hand, experiences that support these ideas. A seminal work on attitudes towards the police in the Pittsburgh area by Scaglione and Condon underscores the importance of these personal encounters, in particular the most recent ones, in determining the general attitude towards the institution (Scaglione and Condon 1980). As the most visible face of the American legal system for Latinos, these experiences can also be expected to be important in shaping the ideas and attitudes that influence Latinos' decisions about their grievance cases.

Overall, experiences with the police ranged from exceptionally negative to extremely positive, making it clear that Latinos' experiences with the police are not homogeneous. These

experiences, colored by individuals' overall experience in the United States, were also related with the overall perception that Latinos had towards the police.

The good...

Stories of encounters with the police abound, particularly among people who drive a car. Many of them, regardless of their legal status, had positive reviews about such experiences. Without exception, all encounters with the police that were narrated to me during my fieldwork included an assessment of the type of treatment that was received, in particular whether it had been "fair" or not. Such assessments fall all over the positive to negative spectrum in terms of the attitude towards the police that they reflected; in many cases, the attitude cannot be easily understood as fully positive or fully negative (for instance, some people told me how they fear the police, but nonetheless believe that they are fair overall).

Experiences with the police are regarded as positive when the interaction with an officer develops as expected, or better than expected. An example of the latter is a case in which a Latino who was travelling with his family late at night and was falling asleep while driving, with his wife and child sleeping in the back seat. He was stopped by the police, and the officer used this time to talk to this man about the importance to take a rest if he needed it, "if you want your family to wake up again." For this man, the words of the police officer were interpreted as a signal of true concern for him and his family. In general, when Latinos recognize that there is a good enough reason for being stopped by the police (a broken light, a due inspection, or an officer perceived as trying to help), the opinion about the experience tends to be positive, even when the outcome is not fully favorable for the Latino. For instance: when Carlos was leaving a bar in downtown Pittsburgh and could not find his way out, a police officer came to his car to ask him whether he was lost. The truth was, as he said, that he was. When the officer then asked

Carlos whether he had had something to drink, Carlos was nervous so he answered yes. The situation ended with Carlos handcuffed, in a police station, and with a DUI. Regardless of this outcome, Carlos perceived the actual interaction with the officer as positive: *“Nunca me trató mal, al final de cuentas cuando me tuvo que llevar a la estación me esposó, y fue algo horrible... pero sí, o sea, fue bien. O sea, no tengo quejas sobre él.”* [He never treated me wrong, in the end when he had to take me to the station he handcuffed me, and it was horrible... but yes, I mean, it was good. I mean, I do not have any complaints about him.]

The same situation occurred with Pablo, who was even more concerned about the encounter with the police since he was undocumented. After letting me know of two encounters he had with the police, he also shared with me what he had learned from these experiences:

Sí sentí la cosa de ellos, ¿no? Que actuaron de buena fe. Yo creo que eso no está malo, o sea... Que me respetaron, en ningún momento ellos como que querían imponer su ley, o agredir o decirme malas cosas. Siempre sentí como que estaban cumpliendo con su trabajo... Uno se asusta, ¿no? Pero mientras no esté cometiendo algo malo, sea que no estés tomando y manejando, ¿entiendes? (...) la verdad que sí, ellos... o sea, depende la persona que te toque, o de repente también como estés tu actuando con ellos. Y si uno actúa con imprudencia o algo. Si uno dice “I’m sorry” ellos se dan cuenta...

[I did feel that about them, right? That they acted in good faith. I think that that is not wrong, I mean... They respected me, at no time did they want to impose their law, or hurt me, or say bad things to me. I always felt like they were doing their job... One gets scared, right? But as long as you are not doing something wrong, that you are not drinking and driving, you understand? The truth is that yes, they... I mean, it depends on who you get, or perhaps also how you are acting with them. If you act with imprudence or something. If you say “I’m sorry” they realize...]

Later in the interview, when sharing his overall experience with grievances as a Latino, Pablo was one of those interviewed with better words to say about the police: he told me about the respect he feels for them, as people who have families and do their job. For him, this is further supported by the fact that he can recognize the police officers who work in the community where he lives, and he has never felt uncomfortable about their actions. This

closeness with his neighborhood police officers, in his words, makes him feel free and “as if with family.”

Some Latinos seem to believe that their own attitude towards the police needs to be positive because it can determine the outcome of any encounter they have with an agent (or even more, can actually prevent encounters with the police). Two undocumented men confided with me on separate occasions that remaining calm when seeing a police officer, relaxing, and believing that they won’t be stopped unless there is a good reason for it (that is, believing that if they behave they will stay out of trouble with the police), is a key component for having successful encounters. One of them even told me that the only times when he has been stopped by the police is when driving in the car with a particular friend who is extremely scared of them. For them believing in the fairness of the police is a way of protecting themselves from police abuse.

... the bad...

Interactions with the police, however, are not always perceived in this positive light. As a matter of fact, in most of the cases in which Latinos were the ones who called the police, their expectations were not fully met. In one case, a man who was being robbed waited for over twenty minutes for the police to arrive, but they never did. In most cases when I heard Latinos not feeling fully satisfied, the reason was that they felt that their complaints with the police had been useless; they never heard again from them for a follow-up, even when in some cases they understood that this was not going to happen. In one other case, a woman was upset because the police had given tickets to a number of cars that were illegally parked in front of the church, without first telling the people that they were about to do so. In all of these cases the expectations (of a quick response, of a follow-up, of a warning) were not met.

In a few cases, concretely in two cases of domestic violence, the encounter with the police was not as expected because it failed to deliver what the women who called had wanted: protection. In both cases the Latinas who called the police were unaware of what to expect from the interaction with the police, and were afterwards frustrated to learn that they needed to have followed a particular procedure for that call to be “useful.” Dolores, a Panamanian woman facing abuse from her American husband, called the police once when he was throwing at her some of the furniture. She called because, in her own words, she wanted to “collect evidence” in order to start a process for a visa as an abused woman. However, things didn’t go as she expected:

Yo me sentí una estúpida cuando hice eso. El... tiene un poder de palabra, cuando él habló con los policías yo quedé como una gran estúpida y los policías me pidieron el pasaporte, y después él me estaba acusando: “¿si ve?” Yo ya me sentí tan estúpida, él manipuló toda la situación. Cuando me preguntaron que si quería press charges solamente me senté quietica y no quería sino llorar. “Usted misma puede complicarlo todo, y se la lleva la policía, ¿si ve?”

[I felt stupid when I did that. He... has a power with words, when he talked with the police officers he made me look really stupid and then the police officers asked for my passport, and then he was accusing me: “see?” I then felt so stupid, he manipulated the situation. When they asked me if I wanted to press charges I only sat still and I only wanted to cry. “You can complicate things for yourself, and the police will take you, see?”]

For Dolores, the interaction with the police was deeply frustrating. She was unable to collect any of the evidence she needed.³² Even worse, she made an already difficult situation even more precarious, by giving her husband more reasons not to trust her. Although the police officers didn’t do anything that Dolores perceived as clearly unfair, they were unable to recognize her vulnerability, in particular in the higher language proficiency of the husband (which she credited as the reason why he was able to manipulate the situation so he was better off), and in her legal

³² The same happened to the other woman: although she did press charges, because she didn’t have any bruises that could be used as evidence of physical abuse her attorney told her that simply pressing charges wouldn’t give her the necessary evidence to get the protection visa.

status. When the officers asked for Dolores' passport, she and her husband both interpreted this as a sign of her powerlessness: if she kept stirring the water, then she was the one who might end up being taken by the police. In short, her already marginal position as an immigrant whose status depends on her abusive husband was strengthened after the encounter with the police, where two of the main elements of this marginality (the language and the legal status) were used to further place Dolores in the social periphery outside from the protection of the police institution.

In Dolores' case, however, the interaction with the police was merely negative. After all, it is hard to construe the officer's intention as negative towards Dolores. This is not the case, however, of all the Latino experiences with the police. When Latinos are stopped while driving for no clear reason, their reading of the situation begins to change...

... and the ugly

Most of the cases that I learned about during my fieldwork of what seemed to be clear abuse of their position by police officers occurred in the context of a negotiation process between the police force and the Latino community that occurred starting September 2007 (see section 4.3.4 for a more detailed account of this process). In this process, the chief of police, other high ranking police officers and staff met in two occasions with members from the Latino community who were demanding the end of what they perceived as unlawful stops by the police of Latinos due to racial profiling. All of the testimonies offered during these meetings were by individuals had been clearly mistreated by the police: claims of officers who insulted Latinos while letting them know about their personal desire of all of them leaving, Latinos being stopped in their vehicles without any traffic violation and then deported, Latinos being deported after being victims of a crime or accident while those responsible of those situations were left free to go, or

:Latinos being asked for migratory documents while waiting for a bus. Due to the context of these meetings, the cases selected for that forum were so precisely because of the clarity with which they show how Latinos can, and are, sometimes unfairly treated by police officers.

These cases are all extreme, but they definitely represent a part of the Latino experience with the police, one that I also heard about during my fieldwork from other (somewhat less filtered) sources. When I heard about these situations, however, the narratives were rarely as clear as the story of the “discriminating police.” Often when these experiences were narrated, people made an effort to place the situation as belonging to an individual, rather than to an institution. For example, multiple times the stories of racial profiling that I heard about ended when other police officers intervened. When a woman was asked for migratory documents while waiting for a bus, a police officer (she actually added that he was a *moreno*, a black man, as a meaningful attribute) approached her and asked her if she had done something wrong. When she said no, he told her to just leave and stop answering to the other (white) officer. In another case, multiple patrols were called after a police officer stopped a Latino for apparently no valid reason. The situation ended when some officers asked everybody to leave immediately. In both of these stories, police officers have roles both as being discriminatory and as protecting the victims of such behavior. In yet other narratives, Latinos would tell the story and then make clear that they aren’t sure of whether this situation can be generalized to the whole institution, or only represents the views of one or a few officers. Even in one of the most dramatic cases, one in which the individual being racially profiled showed to me the most distress as a result of the situation, this person recognized that while they still struggle with regaining trust for the institution as a whole, there is now an understanding that what happened to him only represents one officer’s point of view. As a result of this changing vision of the police, this person was later

seriously considering filing a lawsuit against this police officer: in regaining trust in the institution of the police, trust of the legal system as a whole and its capacity of treating him fairly and addressing his need was also regained: “*las leyes son justas pero las personas encargadas no lo cumplen de pies a cabeza; la ley es justa pero no lo practican bien*” [the laws are just but the people in charge don’t comply with them fully; the law is fair but they don’t practice it correctly].

Building an understanding: bringing all together

When coming to a new system, Latinos bring with them a variety of sources of expectations about the new system. On the one hand, there are the experiences and knowledge that they already have about the legal system (or in this case the police institution) in their own home countries. Often, this experience is used as a point of comparison to aid the understanding of the new system. On the other hand, there are certain expectations that are created about the new system and its institutions, in this case the police, from multiple other sources such as other Latinos and the media. However, all these expectations, from the self-experience, other Latinos, and the media, many times offer opposing views of the same institutions, and Latinos need to blend them together, along with their own personal experiences, to form a general idea of what the police institution is about (and whether it can be trusted).

Ana, for example, has had more than four encounters with the police, all of them quite positive. She has received a ticket, but overall the police officers had tried to explain to her the rules clearly, and had taken the time to understand her very broken English. They also had never asked her for her migratory documents, which in some of these encounters were not up to date. So although most of her acquaintances had warned her that she should be careful of the police (and although her own daughter was present in a case where the police was so abusive that a

court later found that the officer's behavior was unacceptable and most certainly discriminatory³³) she felt that there was nothing to worry about: "*Siempre te siembran miedo de que si te acercas a la policía es problema. De repente si tienes problema... no te preguntan si eres legal, no te investigan tu vida. Si vienes con buenas intenciones, no debes tener miedo de consultar*" [People are always scaring you that if you go to the police it's a problem. Perhaps if you have a problem... they don't ask you if you are legal, they don't research your life. If you have good intentions, you shouldn't be afraid to call them.]

In other cases, the ideas that weighed stronger on a perception about the police came from their own experience with the institution in the home country. A Cuban woman shared with me multiple situations in which she had had problems with the police in her native Cuba. When on a later day I asked her about her own feelings about the American police, it became clear that she had transposed to the American institution some of the fears and the clear understanding of the extreme to which its power could potentially be misused: very clearly, she stated to me how the police (any police) cannot be trusted: "*te pueden matar, tu sabes. Tienen una pistola*" [they can kill you, you know. They have a pistol.]. A similar thought process of making use of previous experience in the home country to interpret American institutions and also to explain his own lack of use of their services, can be found in this quote from a Colombian man:

Para mí fue muy importante para entender que la policía aquí no es lo mismo que la policía allá. Aquí la policía es como Superman, o sea, es como si... acá uno en sus primeros años casi que le tiene miedo a la policía. Allá en Colombia, al ejército. Yo creo que debido a que como me tomó tiempo entender diferencias, como que yo no he optado por usar todos los servicios que me imagino de algún modo estamos pagando con impuestos. Para mí ha sido mucho más fácil integrarme a la vida social, o tecnológica, o productos o así, que digamos legal.

³³ The officer had left a couple and three children (one of them Ana's daughter), along with their three car seats, stranded in downtown Pittsburgh in subzero temperature. The car had been stopped for an expired inspection sticker, but the driver had an appointment in the shop for the next day. The car was taken away and they received fines for over one thousand dollars.

En Colombia tampoco es que yo sea muy amigo de [lo relacionado con las leyes]. Siempre he sido muy lejano a eso. Aquí lo importé y lo exagere un poco, porque hay cosas que no funcionan igual.

[For me it was crucial to understand that the police here is not the same as the police there. Here the police is like Superman, I mean, it's like... here in the first years one is almost afraid of the police. There in Colombia, one is afraid of the army. I think because it took me long to understand the differences, I haven't used all the services that I imagine in one way or another we are paying through taxes. For me it has been much easier to integrate to the social life, or technological, or products or the like, than let's say the legal part. In Colombia I'm not too much of a friend of anything related with laws. I have always stayed away from that. I imported that and I exaggerated it, because there are also things that don't work here.]

In his experience as an immigrant, this man incorporated his original distrust for anything related with the legal system, thinking that since there are problems in both systems a similar approach is needed in both places. Even more, he finally was able to understand in a meaningful way the police force when he used the meanings (and feelings) that he had for another institution in Colombia, the Army, and attributed them to the police here. The distrust and fear that he related with the former, along with the images of invincibility and extreme power, are now used by him to interpret the police in Pittsburgh and their actions, and to frame his own interactions (or rather lack of) with them.

Overall, the ideas about the police as an institution that Latinos hold are built from a multiplicity of experiences and sources, which come together for each individual to form as coherent an idea as possible of what this force is about and its position in the broader legal system. At the same time, in constructing this idea Latinos are also placing themselves vis-à-vis that institution, and forming ideas about their own position in this American society. For the Colombian man, as well as for Dolores, the conceptualizations of the police that they built based on bringing together their present and past experiences and their previous conceptions has strengthened their own perception of marginality in the broader Pittsburgh society. This, in turn,

has had an effect on the ways in which they have dealt with grievances (a topic that is further discussed in chapter 4.0 : Dolores decided to accept the abuse as a price to pay for her legalization and the Colombian man always found ways to deal with grievances directly, without the use of any formal legal institutions.³⁴ For other Latinos, as Ana, the hybrid composition that they constructed of this force places them in a much better structural space, one in which they are able to reach out more comfortably to various service providers when needed.

The next section will look into the experiences that Latinos have had with the courts: while only a fraction of the Latinos have had firsthand experience with this legal institution, they are perceived as the quintessential legal space, and as such one somewhat more ideal and less prone to the subjectivities of individuals.

3.1.1.2 Courts

During my fieldwork I visited the local courts a total of six times. In only one of those occasions did I have the opportunity to observe the firsthand experience of a Latino.³⁵ In all the other instances, when I mentioned to the court staff or judges that I was working on a research project with Latinos in the region the answer that I most commonly received was that this was a useless endeavor and that I should move to the east coast: “there are no Latinos in Pittsburgh.” At the moment of my visits there were no forms made available in Spanish at the PFA section, although I was told that they did exist; the reason they were not available was that nobody in the office would be able to read them if they were filled out in Spanish.

³⁴ The only time this man voluntarily made use of any such service was when his car was stolen, and only because the insurance company told him he needed to file a report with the police.

³⁵ I was translating for a Latina in a Protection From Abuse (PFA) negotiation.

Table 6: In-depth interviews - Latinos with first-hand experience of a court, by type of court and reason for visit

Type of Court	Actor	Observer
Traffic Court	3	1
Magisterial District Court - Criminal	1	
Magisterial District Court - Marriage	4	
Criminal Court	2	
Family Court	3	
Juvenile Court	1	
Appellate Court		1
Immigration Court	1	
Naturalization Ceremony	2	
State Supreme Court		1

Overall, my research supports the accuracy of this common perception. Indeed, few Latinos make use of the court system voluntarily. However, many of them have had some experience inside a court, most as an actor but some as observers. Of the twenty Latinos interviewed in-depth, twelve had been in a court: four had been in a federal court, nine in a court in Pennsylvania, and four in a court in another state (see Table 6 for more details). From my conversations with them, as well as from my conversations with other Latinos, it became clear that Latinos do not think that any intrinsic differences exist between courts in different jurisdictions. In other words, the “courts” are perceived as being relatively homogeneous regardless of where they are located in the country and Latinos feel that their experience in any

one court is representative of the judicial system in general.³⁶ In practice, this means that whether the court experience that someone has had is in Pittsburgh or in another state, the perception that is formed about the judicial and legal system from that experience is used to make decisions while living in Pittsburgh.

None of the first-hand experiences with the courts that I learned about through the in-depth interviews or during my informal conversations during fieldwork were considered negative by those narrating them to me, even when in some cases people did tell me that they felt intimidated or in fear about their situation. In many cases actually the way in which people talked about the experience suggested that they left the courts with a feeling that could be best described as empowerment, in the sense that they had overcome a lot of the unknowns that they had about the court and legal systems before the experience. As a blue-collar migrant told me about his experience in the criminal court:

Tú ya más o menos... como a mí, lo que yo digo, al caer a una corte si yo siento que no puedo entender algo, entonces ya sé que puedes pedir un traductor, te lo tienen que dar. Si no hay traductor no hay corte, o sea tu puedes pedir que no... no te puedes hacer culpable o inocente, pero puedes hasta que no haiga un traductor vas a hablar. Y también hay abogados allí que te ayudan y son, como se llama, como abogados que son del estado que pues prácticamente si no tienes dinero no te cobran, el estado les paga. Pero o sea... lo que a mí, como a mí me dijeron si tú sabes que no eres culpable pues está bien, puedes agarrar uno de aquí, pero si sabes que eres culpable tienes que agarrar otro porque este de aquí no te va a defender tanto. Aprendí un poco de algo.

[You more or less... like in my case, what I say, if you end up in a court and feel that you cannot understand something, now I know that you can ask for a translator, they have to give one to you. Without a translator there is no court, that means that you can ask that no... you cannot make yourself guilty or innocent until there is no translator, you are not going to talk. And there are also attorneys there that help you and they are, what's the name, like attorneys that are from the state and basically if you have no money they don't charge you, the state pays them. But what I mean... what to me, what they said to me is if you know that you are not

³⁶ This is different from what happened with the police force, where people were quick to pinpoint the difference between an officer and the force as a whole.

guilty then it's all good, you can have one of the attorneys here, but if you know you are guilty you have to hire another because the one here is not going to defend you as well. I learned a little bit of something.]"³⁷

First-hand experience of the courts was, for this man, very empowering. While he entered his trial full of fear of what could happen, concerned about his lack of English proficiency at the moment and about his inability to hire an attorney, he left with a new and nuanced knowledge about what happens in a court and his rights, even as an undocumented person. That the judge ruled in his favor certainly helped make his experience a better one, but overall it was the knowledge he acquired in the process what he values the most. Comments similar to this were relatively common, and the sense that they had left the process having a better knowledge of the legal system was pervasive.

In some cases the court experience served as a myth buster about the American court system: many Latinos told me that they were surprised that the process was more informal than they had expected, with many cases being heard in the same session and very little time allowed for each case. However, and although I never asked explicitly about discrimination, most expressed that they felt that the whole experience was positive because they didn't feel that they had been treated any different for being Latinos, and in that sense they thought it was fair. Those who had the more complex cases also mentioned their feeling that the judge had been empathic and that they had felt listened to by the court.

Although I never personally met anybody who had a clearly negative view of the court system,³⁸ I did hear second-hand recollections that were negative. Most of them referred to

³⁷ For an in-depth study of court translators, and the fundamental role they play during court proceedings, Berk Seligson (1990) offers a detailed and eye-opening account, which underscores the lack of neutrality of even these court actors.

negative experiences of people who had been deported, although it was hard for me to assess whether the negative treatment had been received during the court process (as opposed to previous to it, for instance in hands of the police). The most dramatic case I learned about came from an attorney who can speak Spanish, who told me that he was once called to defend a man who had been in jail for over three months. When he met with the man, the attorney learned that he didn't know why he was detained, although he had already been in an audience with a judge. He had been assigned an attorney who spoke Italian, apparently as a (very failed) attempt at overcoming the language barrier, but the attorney was never able to communicate with the man in a meaningful manner. On another occasion a woman who has worked with multiple local organizations as a volunteer shared with me that she perceived that many Latinos felt that they didn't have enough chances to defend themselves as they would wish in court. For her, the reasons are multiple, particularly lack of English proficiency and lack of understanding of the norms and regulations. The latter in particular she identified as particularly damaging in cases between Americans and Latinos that went to court.³⁹ Despite these cases, which certainly exist, the general sense about the courts in particular remains that, although they have great power, a fair treatment can be expected in them.

3.1.1.3 Attorneys

The last legal “institution” that will be analyzed in the type of experience that it offers to Latinos is that of the attorney. References about attorneys are a relatively common topic of conversation

³⁸ In this point, bias most likely played an important role, and future research is necessary: all of the people I talked with directly were located in the United States at the moment of the interview. In that sense, that means that most of them had never been deported, and that those who had were able to return eventually.

³⁹ Although this is certainly a topic that needs to be investigated, I could not find references myself to enough of these cases between Americans and Latinos. In my database, all of the cases between Americans and Latinos were domestic in nature and were decided in favor of the Latino.

among Latinos. While doing my fieldwork, I had multiple conversations around this issue, conversations in which I was approached not only as a researcher but also as a Latina, an immigrant who had used the services of an attorney and, in a somewhat surprising manner, as an attorney (although I did not study Law in the United States). Given its pervasiveness, it is not surprising that Latinos' experiences with attorneys present a quite complex relation with the legal system when compared with the Latinos' experiences of the courts. Fifteen of the twenty people in the depth-interview reported to me that they had consulted with an attorney at some point in the past five years, most for services for themselves and one of them looking for services for others. Still, for most Latinos, attorneys are perceived as a luxury in the sense that they are a costly service that can only be approached when having money to spare, or when absolutely necessary.

This seeming luxury status of the legal services offered by attorneys helps explain an important difference in how they are perceived and used across the Latino community. For most blue-collar migrants (and for some of the other two types of migrants), the legal services offered by attorneys is only considered after it is deemed necessary, for example after a person has been detained for any reason, or after there is a situation that needs to be handled in the court system (such as domestic abuse). For some white-collar migrants, however, attorneys are also sometimes sought as a preventive measure: legal advice (sometimes informal, not paid) from attorneys is considered before deciding upon an action: before buying a house, leaving the country, changing jobs. It is hard to assess, however, whether there is an actual rift in the way the legal profession is understood, or whether it is a matter of a different access to certain spaces due to socio-economic differences (only white-collar migrants can buy a house, and only

documented Latinos have to worry about maintaining their legal status when leaving the country or changing their jobs).

Nonetheless, Latinos of all backgrounds use the services of attorneys, and their experiences are as varied (or even more so) as those with the police. As with the police institution, Latinos' attitudes towards attorneys are a hybrid formed from both their previous conceptions of the legal profession in their home country and the experiences they have had with legal professionals as migrants. For a South American woman who often consulted attorneys in her home country, keeping this custom while in Pittsburgh has had her meet multiple attorneys since she arrived six years ago. Today she keeps an updated list of attorneys with their contact information, specialty, and her own opinion about them. She is quick to offer her personal experience and opinion about them, and to recommend using their services... or avoid them like plague. The Colombian man in section 3.1.1.1 stands in the opposite extreme of this spectrum: as he himself expressed it, his own distrust of the Colombian legal system (and of the American) stopped him from getting involved with any legal institution, and with attorneys in particular. This attitude has thus limited his own contact with legal service providers while living in Pittsburgh, and his experiences are very reduced: he has only dealt with the attorneys that manage his visa documents in the company for which he works, but he does not feel that they are protecting his interests, which further stresses his already existing distrust of the profession.

As the two examples above show, previous attitudes towards attorneys and the legal profession in general have an impact on the type of experience that Latinos have in this arenas while living in Pittsburgh. However, as was the case for the Colombian man, circumstances (such as the legal status) do push many Latinos to deal with legal service providers even when they normally wouldn't. These experiences, as experiences with other areas and institutions of

legal service provision, become important in further molding the general attitude of Latinos towards the legal.

As can be expected, the opinions that Latinos hold about attorneys are varied. The extremes of this range go from the woman who said to me that she felt her attorney (who worked with her on a case against her former husband for abuse) was part of her family, to a woman who felt that the worst grievance that she has ever suffered was inflicted by that very same attorney, who she believed tried to adopt her daughters without her consent (and who she blamed for her own distancing from one of them).

Regardless of the opinion, most statements about an attorney started with a comment on their overall character, and most important, how much they could be trusted: *“es muy buena persona, y eso cuenta mucho... se hace más creíble, como abogada”* [she is a good person, and that is very valuable... it makes her more credible, as an attorney]. Good comments about attorneys abound, and were found most commonly when they (the attorneys) were less expected: the attorneys working pro bono who helped the undocumented child’s deportation and then succeeded in helping him attain permanent residency, the free court attorneys that represented a man after being detained by the police, the women’s shelter attorney who helped the victim of domestic abuse legalize her situation and remain safe. In all these cases in which unexpected legal services were offered, the satisfaction with the services (and with the system that made them possible) was clear. Also, all the Latinos in the interviews that had such dramatically positive experiences with legal service providers have sought further legal assistance when they have needed it for other situations. All these individuals have been willing to go to legal offices to ask for guidance, inquire about the possibility of a lawsuit, and in general request information about any specific situation they have been dealing with, regardless of their legal status.

As in the situations with the police, not all experiences were positive. In some cases, experiences with attorneys that didn't fulfill expectations (but that were not bad to an extreme either) were used as a way of learning more about the legal system, particularly to reinforce the importance of having enough money to pay a "good" attorney. For Ana, who had applied to have her legal status changed to that of permanent resident, this realization came as the result of her whole family's experience with attorneys. Since the moment her family arrived with tourist visas to the United States, they have tried to find a way of legalizing a long-term stay in the country. In this process her husband worked with an attorney, who suggested to first apply for a student visa (which he did and received), and later to find a sponsor for a working visa (which he also did). This process was very costly for the family, as they had to incur in debt to pay the school tuition for the husband, and of course pay for the attorney fees. The process, as Ana describes it, was very frustrating: the attorney's fees were very high, but during their half-hour meetings he talked about marginal concerns without addressing their main questions. As a result, the husband opted to educate himself about the legal system and in particular the immigration process. When Ana was ready to start her own process, she expected to work with a different attorney. Unfortunately for her, her employer's attorney was the same as her husband's. Having learned from previous experience, Ana now has a different approach than the one they exercised as a family in her husband's process. When she needs legal information Ana visits an agency that provides free services for foreigners in the Pittsburgh area, she then puts together all the information and paperwork for her attorney and visits him only to ask for his signature. For Ana, the attorney is not someone who helps her navigate the legal system, but rather an unavoidable medium that needs to be used to push forward a formal process.

In Ana's case, as well as in all of the more dramatically negative experiences with attorneys that I learned about,⁴⁰ the figure of the attorney is in itself an interesting example of the hybrid: the case of the Latino who is also a legal services provider. This figure is interesting not only because it is a hybrid in itself, a liminal character that inhabits two spaces simultaneously, but also because of the circumstances within which I learned about them, particularly in the context of the in-depth interviews. When doing these interviews, in three instances I learned about problems that Latinos had had with attorneys only as a side-comment when talking about attorneys in general, not while talking about grievances. This was the case even when the grievances referred to people having paid (quite large) sums of money without receiving the service they had paid for in return, something that could've easily been labeled as a "debt" given the wording used in the interview. However, none of such cases with attorneys surfaced during this stage of an interview. How is it that these people recalled sixty dollars that they had lent someone as a case, but did not mention the over three-thousand dollars paid to an attorney without receiving a service in return?

It is hard to fully explain why grievances with attorneys received a different treatment. One possible reason is that this type of grievance was, in fact, perceived as intrinsically different from all other grievances: in all of the situations that surfaced during the interviews, the position from which the grievance was narrated was one of total powerlessness, one in which the basic understanding was that nothing can be done to mend it or make it right. It is also possible that these situations were originally omitted because they are difficult to acknowledge; in two of the interview cases (and in many other cases that I learned during fieldwork) at the core of the problem was an issue of "overly trusting" that could be interpreted as suggesting excessive

⁴⁰ All the clearly negative references about attorneys that I learned about referred to Latino or Latina attorneys; however, some Latino and Latina attorneys also received very positive comments.

naiveté or ignorance; in these cases, the narrations were almost apologetic of the situation. What is clear, regardless of the actual reasons for this differential treatment, is that the hybrid nature of these attorneys plays a crucial role.

All of the cases that I learned of in which Latinos felt deceived by their attorneys were about a sought change in legal status of those Latinos, most of them undocumented migrants who had little or no English proficiency. In all of the cases, attorneys charged and received pay for a service that would supposedly result in the legalization of a status but never delivered those services; as a matter of fact, in all the cases with undocumented Latinos those services were impossible to deliver, as immigration law at the moment had no legal avenue towards legalization. Latinos who approach an attorney while undocumented usually do so based on an idea of how the legal system ought to work, rather than on any actual knowledge of how it actually works. For many, if they have lived for a number of years in the United States and have “behaved,” they deem it only fair to be legally recognized. Some attorneys, rather than changing this mistaken image of how the system works, abuse this hope by charging a fee for starting a process that, in practice, cannot occur. This hope, which the hybrid attorneys are able to channel because they speak Spanish and are read by many Latinos as understanding of the immigrants’ situation, is thus abused. Meanwhile, the victims of this situation are further marginalized as the very reason that brought them to work with an attorney, their undocumented status, is what prevents them from demanding anything from that same attorney, since making a claim would entail recognizing their “illegality.”

Me quedó como coraje, para ser honesto, porque yo digo: uno va buscando que te ayuden, y yo decía, la señora habla español, yo le puedo decir lo que realmente quiero que sepa. Me tenía ahí, y por un rato me hacía sentir que sí tenía oportunidad... para que estén jugando nada más conmigo y haciéndome perder el tiempo.

[To be honest, I was very upset, because I say: you go looking for help, and I said, the woman speaks Spanish, I can tell her what I really want her to know. She had me there, and for a while she made me feel like I did have a chance... for them to be only playing with me and having me lose my time.]

As with many other service providers, Latinos like to find attorneys or legal service providers in general who are also Latinos: this builds a sense of trust and comfort that is hard to achieve with other individuals. The language barrier is only one of the multiple reasons that allow for this. Precisely for this reason, the hybrid attorney is particularly powerful. The attorney represents, in a way, the in-between space in which all Latinos live, as well as the vast necessities that many of them have in the form of dependence on a system that they barely know and that seems to remain unattainable to many. The next chapter will look at these feelings of ignorance and fear, as they help shape the type of experience that Latinos have when facing the American system.

3.1.2 Ignorance and Fear

Ignorance and fear are common themes in Latinos' narratives when referring to their own experience with the American legal system or culture. They are present in the very understanding of the legal and cultural norms, as well as in the expectations and perceptions of what encounters with agencies or institutions from that system could or actually entail. This ignorance and this fear have deep repercussions not only in the attitudes that Latinos have about the American system, but also as a source of grievances and problems, some of which will be discussed in subsequent chapters (particularly section 4.0).

Ignorance about the norms that regulate social behavior in the United States is quite prevalent. In the literature it has been suggested that there is a prevalent mistrust in the legal

institutions in Latin America (Domingo 1999; Goldstein 2003), and it is possible that this partially informs the difficulties that many Latinos have in facing the new legal system in the United States. At the same time, many Latinos expressed the desire to have had someone share with them some of the local norms rather than having to learn them with time through experience: that laws protect you as an employee if you get hurt or are underpaid, that you are not supposed to have sexual relations with a minor (even if you are yourself only eighteen and you think of that minor as your girlfriend), or that it is not appropriate for a man to flirt in public with an unknown woman. All of these are examples of situations that Latinos did not regard as “unknown” or particularly obscure to them back in their home countries (in terms of how to frame personal or labor relationships, for instance). In all of these cases ignorance can have ill effects (you can be arrested for such a sexual relationship, you can be threatened not to flirt again or the police will be called, or you can simply accept one too many times your employer not paying the minimum, or negotiated, wage). In some others, those effects can be dramatic. Such was Dolores’ case.

Dolores, the woman who called the police for domestic abuse but refrained from pressing charges against her husband (chapter 3.1.1.1), is a good example of the different ways in which fear and ignorance can mold the experiences of Latinos. When Dolores called the police, her husband used his better ability to navigate the system and communicate with the officers to remain in charge. He was then able to offer an interpretation of the situation that played with Dolores’ fears: she ended up feeling, after this encounter, that calling the police again could be dangerous for her legal situation, and that she could end up being deported. Her ignorance, with her husband’s help, fueled her fear; this fear then determined her inaction and her decision to stay in the relationship as the only way she could conceive to finally legalize her stay in the

United States (and subsequently leave the relationship). Dolores never tried to process a U visa for herself because she feared that the process wouldn't go through and she would end up in a worse situation than before: forced to stay with her husband to remain legal, but having worsened his abusive demeanor by fueling his rage. This behavior pattern was not new. In the past, before Dolores was able to have him start her legalization process as her spouse, her husband had also used her ignorance of the system to fuel her fear in order to prevent her from working: when she started working against his will and deposited her first check, he told her that the IRS would track her down and deport her if she continued doing this. Even today that Dolores has her work permit, this fear compels her to only work for cash, which she never deposits in a bank.

Fear and ignorance also prevent many Latinos from having a “normal” public life, or rather the type of public life that they would otherwise have in their home countries. Some prefer not to become too visible by participating in social or cultural organizations; others refuse to leave their home at certain times or to do anything but work. In some cases, people simply do not know how to get information about the different ways in which they can participate in the local social life, from knowing how to take a bus to feeling comfortable with the language. In all of these cases, the fear is directly or indirectly linked to the structural vulnerability of Latinos, most clearly as it relates to their legal status. Paradoxically, however, this fear can be present regardless of the legal status that somebody holds.

For undocumented migrants, the fear of deportation is not only pervasive but also, as the recent history of the region shows, substantiated. Many people prefer to limit their public lives and modify their behavior as a result of this fear: some (but definitely not all) Latino males have changed their drinking habits, and for females who have husbands alcohol remains a common

source of conflict, particularly due to the potential risk it poses for undocumented Latinos. But not even legal status prevents this fear from arising: narratives of fear of deportation also abound among legal Latinos and white-collar migrants, particularly in the form of losing the status due to not being able to navigate the (often complex) immigration system, or being deported by breaking an American law. Not only during the interviews but in fieldwork in general,⁴¹ immigration processes were a common topic of conversation among legal Latinos: finding good attorneys, knowing the necessary steps to remain legal after a status ends, learning how to transition from one status to another, being familiar with all the paperwork needed to leave and re-enter the United States given a particular legal status, and so on. Not even citizens were over feelings of fear and inadequacy. A Latina who has been a citizen for over five years shared with me:

Gracias a dios nunca (me ha parado la policía) porque a mí me da pánico. No va a ser que el tipo no me entienda el acento. Como yo no soy de aquí. La otra cosa que me da miedo: ahora que soy ciudadana (si piden papeles) voy a dar licencia de conducir. Si le digo soy americana... “sure...” Siempre me he preguntado, ¿qué pasa? Eso me molestaría muchísimo. Me paran y me digo yo no soy americana. Prefiero evitar cualquiera de esos problemas.

[Thank god (the police has never stopped me) because it panics me. What if the guy doesn't understand my accent. Since I'm not from here. The other thing that I'm afraid of: now that I'm a citizen, (if they ask for papers) I'm going to give my driver's license. If I tell them I'm American... “sure...” I have always asked myself, what happens then? That bothers me a lot. They stop me and I say to myself I'm not American. I'd rather avoid any of those problems.]

When ignorance and fear are in the way, Latinos find it difficult to trust that the system will always do right by them. It is partly for this reason that experiences with the courts in particular were perceived as so positive, since they worked as an education process on the system's most feared facet: being tried and potentially expelled from the country. In the same

⁴¹ There is probably a bias in that people with whom I interacted during fieldwork knew the topic of my research project, which could have impacted the prevalence of this as a topic of conversation.

way, positive experiences with police and attorneys were also helpful in dispelling myths about the American legal system and feeling more comfortable in moving through it.

3.1.3 A summary and closing thoughts: life of contradictions?

The American legal system and its institutions are perceived by Latinos, particularly when they are newcomers, as a mysterious structure that appears to be sometimes unreachable and detached from actual people and organizations. In this abstract form, it is many times thought of as oppressive and foreign. In a way, this could be informed by the types of relationships they already have with the legal system and institutions in their countries of origin. Some literature does suggest that the workings of judicial systems in Latin America can be dominated by a culture of secrecy (Villanueva 2005). For this reason, the attitudes towards the system and learning about it is, in itself, a process into hybridity and as a result, into a world of contradictions.

It is through experience that Latinos are able to transform their abstract ideas about a system and the people and institutions that make it into something more concrete and thus manageable. Each time a Latino faces a police officer, consults with an attorney, or faces a judge; each time he or she hears about these experiences from friends and relatives, that U.S. system becomes something more concrete (although not necessarily more “accurate”). Ideas and experiences that they carry about what the American system is and is not, along with the existing expectations of what it should be, are constantly meshed with new experiences to create a hybrid conceptualization of that system and how it can be navigated or dealt with (or not). The experiences faced across the breadth of the Latino community are not all positive, nor are they all negative. In the same way, the particular resources available to each individual (for example,

in terms of language proficiency or legality), and the types of experiences and expectations that each person brings with them are also quite varied. For this reason, what Latinos understand and experience as “the American system” is not really one and unique, but rather multiple and changing for each individual.

Each person experiences the system in a very personal way. Each person is placed in a different structural space within the society, whether in terms of their legal status, socioeconomic status, or social and cultural resources. This means that each individual develops a different set of ideas of what are appropriate social norms of behavior and also different sets of attitudes towards the American legal and social environments. These ideas are hybrid constructs from previous understandings of what is right or wrong, what the legal system and its institutions are like, and the experiences that either support or challenge those previously existing ideas and attitudes. These experiences can be direct contact with legal institutions and agents, second-hand knowledge of such experiences, or as subsequent chapters will discuss, the actual experience of grievances and grievance processes. The following two chapters will present how grievances are lived by Latinos in the Greater Pittsburgh area, discussing how the hybrid constructions introduced in this chapter mold all the stages of grievance processing, from recognition to action.

3.2 RETHINKING GRIEVANCES: BROADENING MEANING THROUGH THE LATINO EXPERIENCE

In this section, I will revisit some of the ways in which disputes in general have been studied to suggest a specific and consistent theoretical framework which is used in the analysis of the Latino experience of grievances in this dissertation. Most literature on legal anthropology that

looks into the experience of conflicts in complex societies focuses on the concept of disputes. However, in legal research traditionally there has been a bias in defining this concept: either disputes are predominantly studied within the court legal system,⁴² or they are defined in relation to what could be “litigable” cases. Such is the spirit of research projects on legal needs (Curran 1977; Reese and Eldred 1994), as well as that of the Civil Litigation Research Project (CLRP) introduced in section 1.1.1. As Miller and Sarat – who worked with the CLRP – wrote, the “emphasis of the dispute processing perspective has been on the linkage between law and legal institutions and a broader array of dispute processing mechanisms. But this perspective has limited our understanding of disputing as a social process” (1980:525). Unfortunately, they were unable to fully answer these concerns themselves. Their starting point, methodologically, was the dispute as it was traditionally defined based upon the central legal system. They then moved “backwards” to address the origins and content of the disputes so identified.

In the first subsection of this section I will introduce an alternative methodological and analytical approach to “disputes,” and will rather support the focus on broadly defined “grievances” as they are used in this project. At the core of it is a shift of focus from the central legal system, in this case that of the United States, to a specific community: the Latino immigrant community. I will also present a source of such grievances that is particularly relevant for the Latino migrants but that is better addressed by a perspective that is not focused on the central legal system: discrimination. The second subsection in the section will then focus precisely on the Latino experience of discrimination, discussing how the focus on grievances allows uncovering discrimination as a byproduct of structure, something much harder to address through the traditional focus on disputes. In this section some of the main elements of the Latino

⁴² Works that follow this path are multiple, and many are referenced on section 1.1.

experience of grievances in general will be presented, in particular the conflict of normative systems and the use of non-traditional alternatives, which tend to be hybrid in nature, for processing such grievances.

3.2.1 Disputes or grievances? Broadening the meaning of grievance

The Civil Litigation Research Project (CLRP), introduced in previous chapters, offered one of the most detailed theoretical approaches to a researchable definition of “dispute.” In the CLRP, a dispute was understood as

a social relationship created when someone (an individual, a group, or an organization) has a grievance, makes a claim, and has that claim rejected. A grievance is a belief in entitlement to a resource which someone else can grant or deny. A claim is a demand or request for the resource in question made to a person or organization with the ability (at least in the mind of the claimant) to accept or deny the claim. The first definite reaction to a claim can be acceptance, rejection, or a compromise offer. Delay construed by the claimant as resistance can be considered to be a rejection. An explicit rejection of a claim unambiguously establishes a dispute relationship by defining conflicting claims to the same resource. A compromise offer is partial rejection of the claim, initiating negotiation and so a dispute. Finally, a claim which is formally accepted but then not fulfilled also results in a dispute. In summary, once a claim is received by a person empowered to grant the claim, only its immediate acceptance prevents some degree of disputing, and then only if the claimant encounters no difficulty in collecting on the claim.” (Kritzer 1980:510)

Based on this approach, the CLRP built a “dispute pyramid,” which counted how many grievances, out of one thousand, resulted in claims, of those how many become disputes (defined as above), of those how many approached an attorney, and of the latter how many actually ended in court filings (Trubek, Grossman et al. 1983:S-19). In this process, two steps are active decisions by the aggrieved party: seeking redress for a grievance (the claim) and seeking an attorney to discuss the situation. To illustrate this theoretical model of grievance, claim, dispute, Miller and Sarat use a “simple” example: consumers make claims asking retailers to repair or

replace defective goods, and then the claim is either rejected, accepted or negotiated. A dispute will exist “when a claim based on a grievance is rejected either in whole or in part” (Miller and Sarat 1980:527). However, this “simple” illustration might not be so simple for certain social groups. Making a claim is a culturally specific response to such grievance, which means that there can be individual, cultural or social obstacles that hinder someone from making such claim. CLRP data suggests that 269 grievances out of 1000 (more than 25%) are redressed simply by asking for it, but as it will be developed in depth on chapter 4.0 , this is not necessarily a viable alternative for some people. That means that instead of having a grievance situation either erupting into conflict or waning,⁴³ it can remain impersonal, latent, and without erupting... but without waning either.

Related to this idea is another discussion within the existing literature about whether disputes need to be public to exist. For some time, disputes were only considered such until they were made public; before that, they were merely disagreements (Nader and Todd 1978; Gulliver 1979). For Nader and Todd, for instance, “the *dispute* stage results from escalation of the conflict by making the matter public. A third party, a person or group, is now actively involved in the disagreement” (1978:15; italics in original). However, this position is contested by the CLRP project, where researchers oppose the necessary publicity of disputes to the potentiality of some disputes being exclusively bilateral, or “wholly contained within dyadic relationships” (1980:528). This means that a dispute can exist with only two individuals involved, a dyad.

⁴³ This wording of grievances either “erupting into conflict” or “waning” is taken from Nader and Todd (1978:14).

In this project, I move away from all these positions as they all arise from the grievance / dispute / conflict paradigm. While models such as Nader and Todd's⁴⁴, or the CLRP's are useful for researchers, they leave much behind. In particular, they are structured according to culturally biased perception of "the dispute." Take, for example, the CLRP process of grievance → claim → dispute → attorney → court. As it was already suggested above, the expectation of a claim in itself disregards the experience of those who might find individual or cultural obstacles to follow this process. This means that in such cases grievances do not erupt into an open claim, but might not wane either. As a matter of fact, they can become stronger.

Kidder's critique is particularly poignant:

In the anthropological literature, there are strong presumptions of equality, case discreteness, and individualism in the use of the term dispute. Disputes reported in the anthropological literature tend to pit equal individuals against each other, neighbor against neighbor, family head against family head, hunter against hunter, warrior against warrior (...). The basic view is that a "balance" has been upset and must be restored (Nader, 1969). The nature of the task is to produce a settlement in the specific case which permits the group to return to normal. (...) But there is very little recognition in the anthropological literature that "accumulated" grievances may represent systematic inequalities, institutionalized asymmetrical developments in a society's relationships. (Kidder 1980:719)

When a grievance is worked through by an individual, she or he does it from her or his perspective and position in society. When that position is not at the center, as is the case transnational migrants in general (see section 1.2), adopting such a model becomes arbitrary and incongruent. It is therefore necessary to devise a model of grievance and dispute that allows for non-dyadic confrontations, power inequality and, as a result, collective processes.

⁴⁴ In their model, Nader and Todd recognize three stages in the dispute process: the grievance or preconflict, the conflict (equivalent to the claim in the CLRP), and the dispute stage. However, already recognizing some of the problems the model could pose, they present the caveat that the stages should not be understood as neat or sequential. Nonetheless, their focus remains on a process that has the dispute as the end result (and as such as the archetypical case against which all other situations exist).

Where, then, does this project stand? Different from most of the explicit, or implicit, objectives of projects such as the CLRP or the Berkley Village Law Project, this one is not about understanding a legal system as such.⁴⁵ At its bottom, this is a project about understanding a community within a community through its individuals' own considerations of how to deal with perceived injustices. At its starting point, then, it is a project about inequality and unequal access to resources, the ways in which this inequality transpires into everyday life, and whether or not to respond to perceived injustices. It is a project about how a particular social commodity, justice, is understood and seized by the individuals of one Latino community, and what does this process means for their own existence within the wider community. For this reason, the focus is set not just on conflicts or disputes as they have been traditionally understood, but in perceived (and sometimes even unperceived) injurious experiences. This is, in many ways, quite close to what in the literature has been defined as a *grievance*. Perhaps the biggest point of departure in this project from traditional definitions of grievance, however, is that such definitions usually assume the existence of someone to whom a claim could be potentially presented. As it will be developed in the next section, this is not a necessity when there are structural dimensions that help produce such grievance.

As Kidder convincingly presented, a new model is needed: one that is able to recognize systematic inequalities. In order to do so, this study will forego the traditional focus on disputes and will rather look into broadly defined grievances. The main departure from common and academic understandings of this concept is that it will not be conceived as centered exclusively

⁴⁵ Laura Nader, head of the Berkley Village Law Project, in the preface of *The Disputing Process* describes its project objective as covering “the range of relations that are found between disputing parties the world over, the range of sources of dispute, and what is done about dispute” (which seems to bring dispute to the center), to then talk about the “methodological problems involved in comparing the law-ways of different people” (Nader and Todd 1978:ix). Hence, the question about disputes is interpreted as one of comparing “law-ways” in the end.

on the wronged party and his or her perceptions. Nader and Todd, when conceptualizing the grievance, argue that “the important thing is that he feels himself wronged or injured,” “the path that it will take is usually up to the offended party,” and “this stage may be characterized as monadic” (1978:14). What transpires here, then, is that all the weight of the process falls upon the aggrieved. What happens, or not, is his or her responsibility; the existence of the grievance itself is also solely in the aggrieved’s perception, and is solely about him or her (which is, monadic). However, this concept of grievance falls short. In particular, any model that expects to address structural inequality needs a broader scope. Structural inequality does not allow for a monadic vision of grievance: under circumstances of power differentials, the paths and options are not exclusively drawn by those who are wronged. This is why for this project a broadly defined grievance is seen not as monadic: inscribed in a complex context, even if an aggressor cannot be unequivocally identified when the grievance has a systematic cause the contextual structure is recognized as a potential aggressor.

In short, this project will broaden the concept of grievance, understanding it as the process that unfolds after a perceived (and sometimes unperceived) injurious experience. This process starts with a discernment of what is desirable (what is right or wrong) against which the injurious experience is perceived, and is followed by the actions, or inactions, that take place afterwards. The ideas about the social norms, the options recognized as available to process an injurious experience, and the actions themselves, all make up the grievance process.

This shift to a broadened conception of grievance necessarily has methodological and analytical consequences, which were introduced in this project. Methodologically, this shift determined the production of an interview schedule that focused on providing the possibility of an open ended question *before* asking for specific, traditionally recognized grievances. This

allowed identifying grievances that are individual and/or community specific without overdetermining the answers by the questions themselves. In practice this proved useful: 36 times people answered the open-ended question, and in ten of those cases the grievance presented was not covered by the questions that followed. It was also clear that many interviewees actually used the specific questions only as suggestions, as they sometimes stopped the interview by saying they had remembered something else related, but not directly a case of the question being asked at that moment.⁴⁶

Analytically, shifting the focus away from the legal dispute meant broadening the definition of grievance. Traditionally understood “disputes” may appear, or not, as part of the grievance process. Since this project is built upon the understanding that the central legal system is not the only one that can exist, it makes no sense to use that system as the one that defines what a grievance is. Instead, I turn to my informants and my observations to identify the grievances, as well as the alternatives available to those aggrieved to deal with them. This section will finish with a reference to the analytical distinction that was done in relation with the options recognized for dealing with conflict. The most used referent of alternatives available to individuals when aggrieved is that used by Nader and Todd in the Berkley Village Law Project where they recognize five alternatives: “lumping it,” avoidance, negotiation, mediation and arbitration.⁴⁷ Clearly a direct result of the biased model of dispute with which this dissertation

⁴⁶ This happened most often in the questions on discrimination. Several people answered the open-ended question with a vague positive answer, stating that they had “felt something of that sort” but couldn’t think of any specifics at that moment. Later on in the interview they did remember cases, sometimes directly as prompted by a specific situation question, but in other cases not, as when a respondent remembered about discrimination against him as a student, after asking a question about discrimination in the work place. In one case, a respondent talked about being the target of ethnic slurs in the streets when asked openly about discriminatory experiences, a situation that cannot be linked to any of the later specific questions on discrimination.

⁴⁷ “Lumping it” refers to ignoring the grievance, avoidance is cutting all ties with the aggressor, negotiation is a process in which the parts involved directly strive to find a solution to the issue, mediation is when the parts

disagrees,⁴⁸ these processing alternatives also present a limited view of the possibilities available to individuals when aggrieved. In this project the responses provided by Latinos to the question of what was done in response to a particular grievance were not analytically forced into these traditional five alternatives. As it will be further discussed in chapter 4.2, other alternatives as identified by the aggrieved Latinos themselves are also included in the analysis.

In order to address the comprehensive potential of the broader understanding of grievance and the grievances process as it is developed in this dissertation, the next section will discuss discrimination from this perspective. Under the definition of grievance here suggested, discrimination can be conceptualized as a structural grievance that has deep roots and consequences that go well beyond single acts of perceived injustices.

3.2.2 Discrimination as structural grievance

Discrimination refers to an act of differentiating a person or group based on a particular marker that they share. The main difference between this act and prejudice lies in that while the latter is mainly psychological, the former stresses the existence within a system.

The members of a community achieve order and identity by driving to the periphery the marked, polluted person (the wanderer, the stranger, the vulnerable, and so on). Those driven to the periphery are anti-order entities and are symbolically ambivalent, and therefore when they come into contact with a community they bring confusion to its order and activate its stagnant culture. (Mihashi 1987:S22)

elect a third party to make a decision and agree to abide by that decision and arbitration is the use of a formally recognized third party, the equivalent of a judge, who has the power to make binding decisions.

⁴⁸ Probably the clearest sign of this bias is the “ordered” nature of this list of alternatives, with the first ones referring to situations that remain as grievances (say by lumping or avoiding), and progressively recognizing alternatives that immerse the aggrieved individual into the central legal system, with adjudication (the official decision of a system-sanctioned authority) being the ultimate possibility.

This inherent structural aspect of discrimination is what makes it particularly useful as an injurious experience that helps underscore Kidder's concern about the inequality in power within which most grievances occur. This section will discuss discrimination as a structural grievance faced by Latinos, one that is very difficult to grasp through the more traditional understandings of dispute as they have been presented above. On the one hand, some Latinos have a hard time identifying a single individual or organization as sole responsible of some of the injurious situations of discrimination that they experience. In other words, often times experiences of discrimination are not personalized, and who is the aggressor is deemed irrelevant. On the other hand, the situation of inequality in which the experiences of discrimination are embedded often sets limits to the options available to those aggrieved. For some, this is a direct result of the impersonal nature of discrimination; for others, it is the result of their marginalized position in the encounter. As a result, rather than understanding discrimination as a grievance with the potential of becoming a dispute, it is more enlightening to reach to it as a structural grievance. Rather than focusing on what it almost never becomes, an open and public dispute, the idea of a structural grievance focuses on what it is: an injurious experience that might not have a clear actor against which claims can be clearly addressed and that strengthens the situation of marginality that caused discrimination in the first place. In discrimination cases individuals can feel aggrieved without necessarily having a grievance, meaning that they can experience a situation as injurious without necessarily involving the aggressor in the situation. Even more important, it is irrelevant whether people remain aggrieved without openly having the grievance with someone, or if they decide to explicitly have a grievance against someone, as in either case discrimination has the potential of reinforcing the existing structures that push those discriminated towards the periphery. Not surprisingly, responses to experiences of discrimination

vary widely across the Latino community, and in some cases integrate clearly the structural, impersonal characteristics of this grievance.

Discrimination, as a topic of conversation, is something that arises relatively easily in the Latino community, particularly among the white-class portion of it. Although I didn't perceive particular restraint from talking about discrimination with other migrants, it was my fieldwork experience that talk about discrimination with blue-collar migrants tended to take place in spaces that explicitly asked for the topic (for example, in events about racial profiling, or when a specific problematic situation needed to be discussed in the context of a service provision office). Among white-collar migrants I experienced more impromptu discussions about discrimination, in spaces where the topic was not necessarily expected (as social gatherings, parties, or non-related community events). Although not necessarily an official report of discrimination, this observation might be related with the finding that Latinos with more education tend to report more instances of perceived discrimination (Pérez, Fortuna et al. 2008), which has been explained as the result of higher acculturation and expectations of acceptance in the host community.

How this acculturation difference might work in mitigating the perception of discrimination can be illustrated by Miguel's case. When Miguel had just arrived to the country, he and his wife were invited to a baseball game. The friend who invited them, along with her father, picked them up at their house to drive them to the park; unfortunately, she left the tickets at home. What came afterwards was a long car ride in which the father, who had had some drinks before the game, wouldn't stop complaining and making racist and discriminatory comments about Miguel and his wife. When describing the situation to me, Miguel said:

Cuando eso no entendía bien inglés. Anna [mi esposa] estaba conmigo hablando en español y él se molestó más todavía, no entendía lo que nosotros estábamos

hablando entonces si nos trató... por lo que yo vi, por los gestos, estaba como diciendo, a estos déjalos en medio de la carretera, por qué estamos llevándolos a ellos. (...) Yo no dije nada, hablando español yo dije: a mí no me interesa lo que diga, yo quiero mis tickets y voy al estadio, a mí no me importa... no hay problema, es su problema. No me puede sacar del carro y el que va a tener un infarto es él, así que yo.... Anna era la que estaba un poco... porque Anna entendía bien también, Anna entendía todo lo que estaba diciendo. Él estaba (...) siendo grosero. Pero yo como no entendía nada de lo que estaba diciendo, no....

[At that time I didn't understand English well. Anna (my wife) was with me talking in Spanish and he was even more upset, he couldn't understand what we were talking about so then he treated us... from what I saw, his demeanor, he was like saying, let's leave these two in the middle of the highway, why are we taking them with us. (...) I didn't say a thing, speaking in Spanish I said: I don't care what he says, I want my tickets and to go to the game, I don't care... there is no problem, it is his problem. He cannot take me out of the car and the one who will have a heart attack is him, so I... Anna was the one who was a little... because Anna understood everything he was saying. He was being rude. But since I didn't understand anything of what he was saying, I didn't...]

In this situation Miguel clearly identified his lack of English proficiency as an attribute that helped him feel less attacked by the discriminatory slurs of the friends' father. His wife, who is an American citizen, had a much harder time than him. In this case, ignorance was bliss. As Miguel himself suggested in his silences, he believes that if he had been more aware of what the father was saying (as he would have been, for instance, at the moment of our conversation) his own emotional response to the situation would've been quite different, certainly more upset about the situation.

In addition to expecting more perceived discriminatory experiences from white-collar migrants, or at least those more acculturated, as I was setting to conduct the in-depth interviews I had mixed expectations about what, and how much, would people share with me on the topic of discrimination. On the one hand, I had already experienced a lot of informal, and in some cases formal, talk about discrimination in general during my fieldwork. As it was mentioned, often times Latinos had commented on perceived discrimination without much prompting. However, these exchanges didn't necessarily refer to first-hand experiences of those involved in the

conversation. Additionally, some research suggests particularly low self-reporting numbers in cases of perceived discrimination by Latinos. In their research comparing African-Americans' and Latinos' self-reporting, Stuber, Galea et al. find a prevalence of 37% (2003), while Perez, Fortuna et al. find that among foreign-born immigrants (which are the totality of those I interviewed) only 25% reported discrimination (2008). Against these expectations, however, in the formal interviews all but three of the people interviewed reported at least one instance of perceived discrimination. Two of these non-reporting individuals were spouses of American citizens, one male and one female, and the other was a blue-collar migrant.⁴⁹ The totality of white-collar interviewees identified at least one instance of perceived discrimination, which is congruent with the mentioned previous research on discrimination reporting. This overall high level of reporting could be attributed to several different causes: one option is the open-ended nature of the questions, which allowed thinking about any instance in which discrimination was felt without circumscribing it to very specific cases. This is directly related with the potential advantages of addressing grievances from the community, as it is done in this project, rather than from the central legal system. Another option that could explain this difference is the rapport that I already had within the community at the moment in which I did the interviews. Although I didn't know most of the respondents, most of the times we were able to find some common referents, usually in relation with my work in the community. Finally, it is also an option that the reduced number of people interviewed in-depth created an unexpected bias that explains the over-reporting.

⁴⁹ Interestingly enough, the two males reported during the interview situations that could be interpreted as discriminatory, but none of them did. The male spouse of an American, when talking about his recurrent disputes with his wife, reported that often in their disagreements she insulted him with ethnic slurs. As for the blue-collar migrant, he had already told me before me asking him about discrimination that he had explicitly not been paid by an employer for a finished work because he was undocumented and could not claim the money. He didn't, however, recall this case as discriminatory when that section was covered.

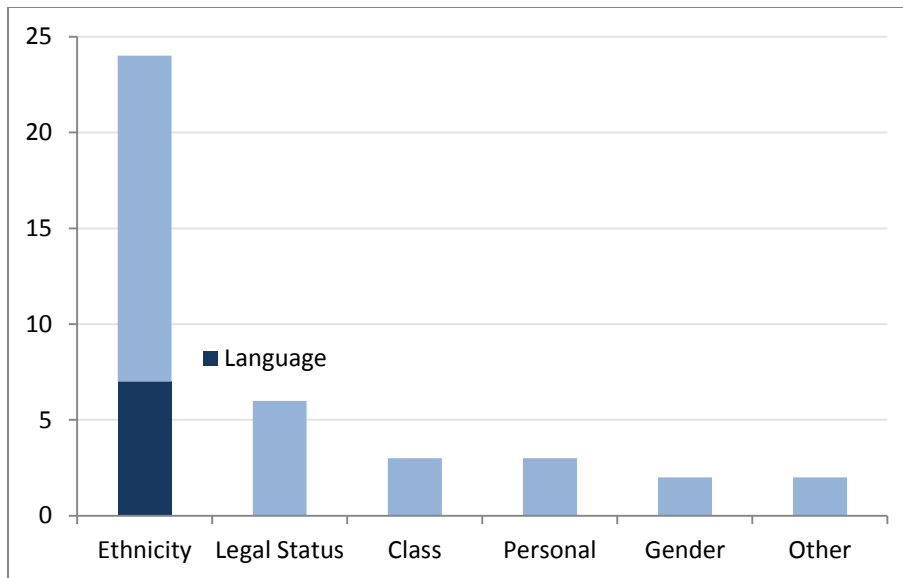


Figure 2: Number of cases by reason identified as explaining the discriminatory experience

A total of forty cases of discrimination were reported in the in-depth interviews. On average individuals reported two cases of perceived discrimination each, with the lowest by a single person being none and the highest five. As for the cause to which discrimination was attributed, several were identified. In 24 cases ethnicity, or “being Latino,” was seen as the main reason for discrimination; in seven of these language was identified as at the crux of the discriminatory experience. Two women (one white-collar and one blue-collar) reported gender as the reason for discrimination. In three cases class was considered the main issue at stake. In three cases “personal reasons” were identified as explaining the injurious experience (all of these were reported by blue-collar females who perceived being discriminated due to their family or personal acquaintances). In six cases legal status was cited as the main reason for discrimination. Quite remarkably, for none these last six cases in which legal status was considered the main issue at stake was the reporting individual undocumented, and only in two cases they had been undocumented in the past. In two cases the legal status that was considered responsible for the

perceived discriminatory practice was being the holder of a non-immigrant visa, not being undocumented (or being treated as undocumented).

The following sections will look in some depth at the discriminatory experiences of Latinos in the Pittsburgh area, focusing on the elements on these that differentiate these injurious experiences from those traditionally studied within the dispute literature. In the first section, the potential for an impersonal grievance is discussed, along with the effects it can have in determining what to do when aggrieved. The second section will focus in the various ways in which instances of discrimination reinforce the marginality of those aggrieved. This will be further illustrated by a specific cultural trait that many people identified as problematic and called for further action from Latinos as a whole: drinking. Finally, the last sub-section will look into the alternative ways in which individuals in this community have faced and countered discrimination, both as individuals and as a collective. In all of these sections it becomes clear that Latinos recognize the structural nature of this type of grievance, and as such look for ways of dealing with it that efficiently addresses this issue.

3.2.2.1 Who's to blame?

Lo que yo he sentido ha sido todo a nivel muy inconsciente. La gente no lo hace pensando en discriminar, no hay discriminación, pero las cosas habrían sido distintas si hubiera sido gringo. Es como discriminación sutil, algo así.

[What I have felt has all been very unconscious. People don't do it thinking about discriminating, there is no discrimination, but things would've been different if I had been American. It's like subtle discrimination, something like that.]

Pedro

In 2007, as cases of illegal detentions due to racial profiling were first being denounced by the Latino community in the Pittsburgh area, a sticker was found in the door of the single church where Catholic mass was given in Spanish and where a social service office exclusively catering Latinos operated. The sticker, from the National Alliance, read: “Get rid of all non-whites. Stop immigration.” The message in this sticker is impersonal in two ways: the author is determined but unidentifiable with a single person, and the recipient is vague and over-inclusive. Although the general boundaries of both “sides” can be sketched (the National Alliance and “non-whites”), it is not authored by or directed to any individual identifiable person. In other words, this sticker and its message illustrate how discrimination can be, and often times is, an impersonal affair.

In other cases of discrimination, even when there is a clear aggrieved party it still remains quite hard to identify an aggressor. One day, as Juan was returning late at night from his work at a local hotel, he was insulted by some American youngsters who stopped at a red light next to him. He was repeatedly insulted verbally and through body language, called names, and asked to “go home.” Although he felt very uncomfortable with the situation, he also felt extremely impotent, so he decided to just ignore them and leave as soon as he could when the light turned green. In the end he blames this experience on “*este mundo en el que vivimos todavía*” [this world in which we are still living]. What causes discomfort in him is not just what happened, but the fact that he perceived it could’ve happened even if other individuals had been in the car next to him. He does not place the blame on them, but “on this world,” a much broader structure that allows them to exist and do this without punishment, and that prevents him from having the tools to counter them.

Pedro’s case is also illustrative of this. Currently employed in a high paying job as engineer in a large company in Pittsburgh, Pedro has had various problems with his employer

due to his legal status as a holder of an H1B work visa. As he understands it, his problem stems from the fact that Americans in general do not understand how fragile the situation of the legal immigrant is, nor do they really care about it. The impersonal structure through which immigration issues are treated within the company that employs him further weakens his situation. In this company, all matters of immigration are dealt with by the attorney, who is an external contractor. Immigrants themselves never have direct contact with the attorney, but rather have to depend on the human resources liaison, who explicitly recognizes absolute ignorance on immigration issues. However, in a process full of deadlines and timelines, the person at human resources has no incentives to move the process quickly, and the attorney's only incentive is to file the paperwork, for which he gets paid regardless of the outcome. In the end, the only one with a personal interest in the success of the immigration process is the worker, but he or she is fully dependent on a human resources worker who does not understand the process and an attorney that represents the company's interests, rather than his own. In Pedro's specific case, he was almost terminated when the attorney filed for a visa renewal with some outdated documents before checking with Pedro. Although the American government did not deny the visa renewal but rather asked the attorney for an updated version of these documents, the attorney contacted Pedro's boss and told him that his contract had to be terminated because Pedro had not been cooperative with the process. Although in the end the situation was solved, Pedro had to pay from his pocket for a plane ticket to his home country, take unplanned and unpaid vacations, and more importantly faced a deep loss of trust from his boss, who never fully understood what had happened but decided to believe the attorney. In Pedro's case, rather than having a single person directing discriminatory actions against him, he had to face a system in which his marginal status was constantly reinforced by individuals acting with no discernable intention of harm.

Even when in some cases Latinos are able to clearly identify someone as responsible for a specific discriminatory act, they have a hard time placing all the blame in that party. When Paola became a U.S. citizen, the people at the technology office where she works threw a celebratory party. As part of the celebration all the people in the office signed a congratulatory card, in which many decided to write messages with double meaning. One of the coworkers wrote that now that she was a citizen she'd better start paying taxes; another one wrote "once a beaner, always a beaner." Paola was furious and very saddened. However, as she understood it, *"el tipo tiene 80 años, no va a cambiar. La otra es ignorante, no es culpa de ella. Le consulté a mi grupito, yo quería era llorar"* [the guy is 80 years old, he's not going to change. The other one is ignorant, it's not her fault. I talked with my closer group, I just wanted to cry]. Although Paola was able to identify who was telling her the things that she felt were injurious, she found it hard to put all the blame on them. Rather, she blamed it on their age (and the expectation that with it come certain hard to change prejudices) or their ignorance, which left her feeling clearly defenseless against the attacks.

This correlation between the perception of discrimination as an impersonal affair, and the perception of defenselessness, was clear. Whenever Latinos perceived discrimination as being structural, rather than personal, they also reacted by being reluctant to do anything about it except feeling the frustration of the situation. After all, they understand that the person directly involved with the grievance is not clearly at fault. This, of course, is in complete opposition to the traditional view of grievances as injurious experiences of a "claimable right," with a specific person or organization against whom it can be claimed and thus with the potential of always becoming a dyadic relation. As all the cases above have shown, when Latinos are aggrieved by an impersonal situation of discrimination, they do not perceive the right being injured as

claimable against anyone in particular. This perception is directly related with the marginality that underpins any situation of discrimination, an issue that will be discussed in the following section.

3.2.2.2 Limiting options, strengthening marginality: discrimination in action

Solo como yo acordarme de eso, mis nervios se alteran (...) Pensé en demandar [pero] (...) en ese momento me sentí tan frustrado, tan impotente que no quise hacer nada, solo quería como encerrarme en mi cuarto y no ver a nadie. Porque como que casi logró su cometido de hacerme sentir como una basura. Por un rato sí me sentí así. Tan insignificante, tan nada. Sentí el sentimiento de no querer ver a nadie, hablar con nadie.

[By just remembering about that, my nerves are altered (...) I thought about suing, but at that moment I felt so frustrated, so helpless that I didn't want to do anything, I only wanted to lock myself in my room and see nobody. Because he almost succeeds in his goal of making me feel like garbage. For a while I felt like that. So insignificant, so nothing. I felt like not seeing anybody, talk with anybody]

José

When Ingrid was trying to buy a house, she had to face multiple obstacles. Not only did she need more paperwork than the average American citizen would in order to have a loan approved,⁵⁰ but she also had to go through the sale of three different houses until one finally came through. In her frustration, as she found out that the owner of the house on which they had already signed a sale agreement was not leaving, her reaction was to, literally, yell: “¡Discriminación!” [Discrimination!]. When I asked her why she felt she was being discriminated against, she came up with multiple answers: this woman refused to leave, she refused to do a lot of things she should have. As I still could not fully understand why she felt discriminated against, I continued

⁵⁰ As a foreigner, Ingrid needed to demonstrate that she had a long-term working permit in the United States, and was asked to include in her loan at least one American co-borrower.

asking. She told me that in reality, she didn't think it was discrimination, but that is how she phrased it at the moment. "*Era más la furia que yo tenía, yo creo que por eso le puse el rótulo de discriminación... pero fue injusto*" [It was more how furious I was, I think that is why I labeled it as discrimination... but it was unfair]. It might seem strange to start a section on discrimination in action with a case that is not necessarily discriminatory. However, it is precisely for this reason that it is useful to understand how discrimination is symbolically grasped: for Ingrid, the frustration of being in a process that was further complicated by her not being an American citizen, coupled with the additional frustration of facing an unfair situation against which she felt helpless demanded (in her mind) the label of discrimination.

In general, these two elements were commonly found in narratives of discrimination: one, the realization of difference which is underscored by the discriminatory experience, sometimes achieving the strengthening of feelings of marginality, and two, the helplessness as to the possibilities available (or rather lack of) to overcome this marginalization. Discrimination, as it was already defined, is an act of differentiating a person or group based on a particular marker. It also is an act that defines and reminds about the social spaces, at the periphery, to be inhabited by those being differentiated within a community. The result, then, is usually a reinforcement of the marginality that is already in place by the system in which transnational immigrants exist.

Strengthening, and underscoring, inequality

In becoming transnational migrants, individuals gain first-hand experience about at least two places: the place they left, and the place in which where they arrive. As illustrated in chapter 3.1 the learning about this new place is often done by contrasting what was in that other place with what now is. In the particular context of discrimination, many experiences (not all of them necessarily perceived as discriminatory) reinforce the differences that exist between them, as

migrants, and American born citizens. The narratives of immigrants are constantly infused with descriptions of place and difference, of “us” and “them,” and the contents of their difference. Experiences of discrimination draw on these constructions of self and influence the resulting understandings of where in the wider community do they as individuals and as Latinos fit. They also underscore how the definition of who fits where in the social sphere is not an individual endeavor, but rather a collective one.

Shortly after starting his job in a construction company in the suburbs of Pittsburgh, Rafael, a Mexican undocumented migrant, received a complaint from a fellow American co-worker. This man, who drove a large truck with an American flag printed on the rear window, had an issue with Rafael’s truck: it had a Mexican flag on it. As he said to Rafael, it was in his best interest to stop bringing that car to work. Rafael was the first and only Latino that worked in that company, and as the man told him, the problem was that *“ahorita vienes tú y después vas a traer otro, y después vas a traer otro, y después a nosotros nos van a correr”* [now you come and then you will bring another, and then another, and then we will be fired]. For this American man, Rafael (and those “others” that would come after him) represented a threat and his work at this company created instability in the system. Imposing a certain authority by banning the use of a specific car and thus limiting Rafael’s autonomy was, in a way, a battle in the war of establishing who is to populate the social margins. The American man’s action makes it clear that it is Rafael, as the embodiment of all Latinos, who is at the margin. In his view, if he did not do this his fear is that Rafael could move towards the “center,” which could then trigger a displacement of him, and all the other American workers, towards that periphery.

Implicitly or explicitly, this is the message that most Latinos understand when they experience discrimination: the idea that they are transgressing invisible boundaries and that to

avoid that it is important that they stay in the margins where they belong. These messages transpire when Latinos are not served well in a shop or restaurant, when they are not paid well, or when they are not accepted as renters. In all of these cases the underlying message is, as Rosa made sense of it when mistreated while buying shoes at a local store: “*Como diciendo, tú no perteneces a esta clase. ¿Qué hace este tipo de persona aquí?*” [As if saying, you don’t belong to this class. What is this type of person doing here?]. And the end result does nothing but reinforce this distinction of spaces: particularly when service is deemed as discriminatory, a usual reaction from Latinos is to avoid that place and ask other Latinos to avoid it as well. Although a clear punishment in commercial terms, this response also achieves what was being sought in the discriminatory practice: it eliminates the Latino presence and is successful in maintaining separate spaces between two coexisting communities.

This separation of spaces is particularly illuminated when liminal figures upset the existing order, as is the case of the legal migrant working in the service sector. In the experience of these Latinos, this is a very tough spot to fill in the workplace, and many of them complain of lack of acceptance from both American fellow workers and other Latinos. In a way, they are perceived as transgressors by everybody, thus reinforcing the existence of separate spaces (that they by their very existence refuse to maintain separate). Both sides, in their own interpretations, regard them as a threat. One of the local industries where this seems most intense is hospitality, as in it documented and undocumented workers coexist in a daily basis doing similar jobs. In order to fulfill housekeeping duties, many hotels in the area have workers directly hired by them, and others through an external contractor. All of the workers hired directly by the chains have proper documentation; on the other hand, most of those working through the contractor are undocumented. And although on their daily duties they all have similar responsibilities, the

situation for undocumented workers is clearly different: one particular contractor in the region gives the workers a place to live, charges them for rent, “lends” them money for food, keeps the totality of the first check and a quarter of every check, and does not offer benefits or insurance to the workers. This system, of course, creates deep inequalities and the claims of unfair treatment within this industry are beyond numerous. For the hotels, this is a system that cuts costs and responsibilities dramatically: the hotel pays a similar hourly wage to direct hires and to workers appointed through the contractor (although the contractor only pays a fraction of it to the undocumented worker), but by using the contractor the hotel is able to avoid paying benefits and incurring in all the risks of work related accidents or lack of documentation. Although the managers at the hotels usually know that in most cases basic needs such as labor insurance are not covered, and that numerous times undocumented workers are not paid by the contractor due to lack of funds, the system remains in place because it makes monetary sense. It was in this environment that Teresa, a legal migrant working in housekeeping, faced a quite debilitating work related injury to her back. Although at first she tried to avoid claiming anything from her employer, when she was unable to move she asked for coverage from the employer’s labor insurance. In doing this she faced a storm from two sides: on the one hand, she faced the annoyance of her manager for having to accept her injury and the paid leave from work that came with it. On the other hand, and somewhat to Teresa’s surprise, she also had the backlash from some of the undocumented workers in housekeeping, who blamed her for the differential treatment she received.

A similar response was faced by Adolfo when he called on the American Civil Liberties Union to report on a case of discrimination at his work. Against his own desire, it became public

knowledge that Adolfo had started a discrimination complaint against his employer, and the responses from some of the undocumented Latinos were quite clear:

Estaban dos chavos ahí que me decían que yo la había regado porque el chavo podía llamar a migración y pues los podían llevar y entonces me decía, tu qué, tu nada más te vas y te vas a otro lugar, pero nosotros ya estamos aquí. Entonces yo decía, pues sí pero pues siempre la cosa era lo mismo con ellos, [también los trataban de manera diferente, dando preferencia a los americanos].

[There were two guys there that told me that I had messed up because the guy could call migration and they could take them and so he said, you what, you only leave and go some other place, but we are already here. So I told them, well yes, but it was the same thing with them, they were also treated differently giving preference to Americans].

Americans, however, were more receptive in Adolfo's case, supporting his decision and even joining him in reporting the employer to the authorities (something that eventually had him demoted to another location). For Adolfo, making use of this legal tool put him in the spot as a person out of place in its dual status of documented and Latino, but also helped him move a little bit closer to the "center" inhabited by his American coworkers. In doing so, it also strengthened the marginality of those who were doubly left out as Latinos *and* undocumented.

The fear with which Adolfo's Latino coworkers reacted to his actions is a common reaction to many instances of discrimination. As inequality is stressed by the act of discrimination, it is further reminded in each stage of the grievance. When it is experienced it creates frustration and sadness, but this is only deepened as those aggrieved recognize to themselves that they feel helpless in the face of the situation, and unable to defend themselves out of fear or out of lack of resources. Most of what is left is simply helplessness, sadness, anger, and frustration.

The reactions to discriminatory experiences are varied, but they all share that they mold the image that those suffering them have about themselves and the society in which they are living. For some, as is José's case in the quote at the beginning of this section, the experience of

discrimination creates a deep and lasting disturbance on their self-image, not only as immigrants but as a whole. Feeling sad, sick, or small are common ways of describing the response to discriminatory comments or situations. In my opinion nothing illustrates better the depths to which this can impact the aggrieved person's self-conception than the way in which Graciela ended her account of an experience of racial profiling, as she was sharing with a wide audience: "*me disculpo si estamos robando, pero allá hay mucha pobreza*" [I apologize if we are robbing, but there is too much poverty over there]. Although she was commenting on a case of discrimination against her, her natural reaction was to apologize for the situation, and in that way internalize the blame of what happened on herself.

It is not only the self-image, however, the one that is affected by the experience of discrimination. In many cases, also the idea of what the host community is like changes. In the same gathering where Gabriela shared her experience, another person who claimed being affected by racial profiling finished his account by stating that the United States, "*que dizque es el país de la libertad, pero no la siento para mí*" [supposedly the country of liberty, but I don't feel it for myself]. In other cases the narratives of discrimination are plagued with notes about how this country is still "behind in terms of racial equality," "conservative in terms of gender," or any other explanation that might elucidate, according to the narrator, why discrimination occurs.

Deepening these feelings of marginality and inadequacy is the difficulty that many facing discrimination have in finding a way to tackle this problem. By underscoring the marginality and creating images of inadequacy and / or of a social structure almost too big to be fought, those aggrieved by discrimination often find it hard to recognize options available to them to face the discriminatory experience.

What's there to do?

The two main responses to discriminatory experiences used by those aggrieved in the Latino community in Pittsburgh are either lumping it, or avoidance. Lumping it means just letting go of the grievance and do nothing about it; however, as it was shown above, it does not equate with forgetting about it or not caring about it. Avoidance, on the other hand, refers to letting go while also cutting any relationship with the aggressor, exactly what Rosa did when she was mistreated as a customer in the shoe shop. As with the other options, the effects of these choices are not necessarily optimal: as with Rosa's case, avoidance can deepen the structure of inequality by further separating the possible spaces of social interaction, and thus making the frontiers between the social spaces of discriminated and discriminating communities much stronger. In some cases, as when workers leave the workplace when they are not being paid, it further gives power to those who are performing the discriminatory acts: the discriminated worker ends up doubly marginalized by not getting paid, and by losing a job. Unfortunately, those who have been discriminated against have a very hard time finding alternative options to these clearly subpar ones, and thus the helplessness and frustration that usually accompanies these experiences.

“En el trabajo tenía que aguantarme” [At work I had to tolerate it],⁵¹ *“si es una discriminación uno que va a hacer, nada. Le toca tragárselo”* [if it's discrimination what are you going to do, nothing. You have to swallow it],⁵² these were common expressions I heard when discussing what can be done against discrimination. In most cases, this position is quite passive: it is the result of lacking better alternatives. This was the case when Rosa left the shoe shop, or

⁵¹ Heard from a male working in deliveries.

⁵² Heard from a female international student.

when a male Latino and his friends did nothing after they were told that an apartment would not be rented to them “because it was already taken”, only to see that the “For Rent” sign stayed up for over two more months. Unfortunately, and not surprisingly, passivity is not necessarily what exists underneath this inaction.

In some cases, however, doing nothing is a form of action. Rafael, the man who was threatened for having a Mexican flag in his car, explained to me why he chose to do nothing about this situation: “*Para no tener problemas con él. Como que conmigo él trataba de que yo me enfadara para que dejara el trabajo, entonces yo decía no...*” [So I didn’t have problems with him. It’s like he tried to make me mad so I left the job, so I said no...]. In here, Rafael makes explicit the catch-22 faced by those being discriminated against in order to keep them in “their” (marginal) place. As with Rosa, if Rafael gave in to his coworker’s threats he would have to face a double loss: he would have endured discrimination, and he would then strengthen the distance between him and the person discriminating him by leaving the job. To avoid, in this case, is to yield to and strengthen the underlying inequality of the system that created the discrimination in the first place. Therefore, to stay put, or “lump” the grievance, is an act that does not necessarily change the situation but that does actively play with the ongoing inequality portrayed.

Another element that has a deep impact in determining a decision of inaction vis-à-vis a situation of discrimination is fear, also a direct result of the relationship of inequality in which discrimination is embedded. Fear can be planted by the party carrying out the discriminatory act, but it is usually the result of the very system of inequality in which discrimination exists. When Pablo worked for a general contractor finishing a bathroom, he set himself to finish the job in the few weeks of allotted time. When he was done, he was surprised to learn that the contractor was

not going to pay him for any of the finished job. At first Pablo decided to leave it like that, but a friend of his told him to demand his payment. Instead of receiving the money, Pablo received the contractor's response that he was not going to receive anything because he was undocumented (a fact that the contractor knew for several months already). He then added that if Pablo wanted his money then he would have to look for an attorney.

Y ya me habló de un abogado y yo me asusté, y yo pensé... primeramente Dios. Yo no actué de mala fe, cumplí mi trabajo. (...) La verdad sentí miedo, miedo en el sentido que no quería tener problemas con la ley, empezar ya con problemas. Ese tipo de cosas. Entonces preferí más bien terminar por los caminos buenos y dejar todo eso en manos de Dios.

[And as soon as he said attorney I got scared, and I thought... first God. I didn't act in bad faith, I did my work. (...) Honestly I was scared, scared in the sense that I didn't want to have problems with the law, start out with problems already. Those type of things. So I preferred then to just finish on a good road and leave everything in God's hands.]

For Pablo, his condition as undocumented migrant triggered the actions by his contractor. This situation also allowed the contractor to, when faced with a claim, further stress the inequality between them by mentioning the potential involvement of an attorney and thus of the legal apparatus. Pablo's reaction was as expected, left to ponder and assume his vulnerability.

As chapter 3.1.2 showed, however, fear is not a monopoly of the undocumented. In the particular context of discrimination it becomes even more evident that the legal status of all transnational migrants to the United States is, in one way or another, certainly weak. Carlos, a doctor doing his residency in the city, has felt several times while living in the area that he does not receive the same treatment at restaurants and bars as other Americans. One night, while with his girlfriend, he was unable to be served a beer at a bar. Meanwhile, he had to watch as other customers were served before him. Upset with the situation, Carlos confronted the bartender, who answered by telling him not to give any trouble, or else leave.

Básicamente en ese momento tremenda frustración. Sentí que en ese momento no podía hacer nada. ¿A quién le reclamo? Un puertorriqueño se acercó y me dijo “acostúmbrate.” Me fui y le dije que era discriminación. (...) El problema es que yo decía, ¿a dónde voy a ir? Un abogado, me va a costar tiempo, dinero, no sé a qué abogado ir. En ese momento no se me ocurrió... (silence) Un poco de miedo en realidad. Si es que yo hago esto, va a ser poner una queja y después terminar en la corte y eso podría manchar mi expediente. Y de repente este es un loco y me va a perseguir, pegar un balazo en la calle... tanto loco que hay en este país. Más bien me muerdo el dedo y ya. Fue en realidad por miedo.

[It was basically a moment of great frustration. I felt at that moment that I couldn't do anything. Who can I complain to? A Puerto Rican came and told me “get used to it.” I left and said it was discrimination. (...) The problem is that I asked myself, where am I going to go? An attorney, it's going to cost time and money, I don't know what attorney to go to. At that moment it didn't occur to me... (silence) A little bit of fear, really. If I do this, it will be to make a claim and then end up in court and that could soil my record. And perhaps this is a crazy guy and he is going to go after me, shoot me in the head... all the crazy people in this country. I'd rather bite a finger and leave it like that. It was really out of fear.

Carlos' explanation is quite rich, and includes a multitude of reasons why not to do anything about the discrimination. There is of course fear, not only of the individual that aggrieved him, but also of his own vulnerability in this country, where he feels a pressure upon him to keep “a clean record” both legally and professionally. There is also the problem of lack of knowledge, the uncertainty of whom to go to, how to find an attorney, and in general what making a claim would actually entail in terms of procedure, time and money.⁵³ Finally, there is the pressure of a system that is inherently unequal and where he is, clearly, at the bottom. Carlos is reminded of this fact by the Puerto Rican man whose best comfort is to tell him to get used to this, as a permanent and unchangeable situation.

Carlos' case also underscores something else about discrimination and the system of inequality on which it is embedded. Inequality in particular creates a burden of action for those in the bottom that is in many cases larger than the expectations of the rest of the community, or

⁵³ All these were the same elements identified in chapter 3.1 as being relevant in explaining ignorance and fear vis-à-vis the American legal system in general.

at least that is how it can be perceived. For Carlos, being a migrant and depending on keeping a “clean record,” one absolutely absent of any blemish, caused him to avoid making a claim when treated unfairly. The legal system can explicitly say that he is allowed to make such claim, but having his existence in the United States depend on a constant revision and renewal of his documents places him in a frail spot. For him, the expectations on his own behavior go beyond what is expected from others. I heard similar arguments across all different legal statuses and levels of education in the Latino community: in some way, the threat of discrimination (blunt or “subtle,” as Pedro called it) puts a burden on Latinos’ image of themselves, and even their behavior. This becomes particularly salient in the spaces where cultures collide, and where Latinos are forced to create a new set of rules of behavior that is adequate, not just in their new community, but that also takes into account the (marginal) position they occupy in that community.

To drink or not to drink... that is the question

Gilberto, the blue-collar migrant that I talked with in my whole fieldwork with more time in the United States, expressed to me a particular concern about the “new” migrants.

Nosotros tenemos esa... esa cultura de México. Un policía, ya sabe cómo es la cultura de la misma gente de uno: borrachón, gritón, pelionero. (...) Tú llegas aquí, no sabes inglés, no nada, gritas, espantas, de todo, quieres hacer lo que haces en México. Insultar a los americanos, ¿por qué los vas a insultar? Estas en su país, al contrario hay que respetar para ser respetado. Si se va a poner uno a andar insultando a las personas... y la mayoría, y la mayoría, no me digas quién, se sigue integrando, insultando a la gente. Es diferente... y la gente no viene a trabajar, la gente viene como quien dice como a paseo. Viene a trabajar pero... no, ni yo mismo los entiendo. Ni yo mismo los entiendo. A peliar, a andar buscando problemas, siendo que no estás en tu país. Vienes a causar problemas, vete a tu país a ver si allá causas tus problemas. Le digo, yo tengo muchos amigos... acá puedes tomar puedes divertirte, pero sanamente. Aquí viene uno lejos (...) y allá la pobre madre rezando por ti, dándose golpes de pecho, todo lo que tú quieras, y tú portándote mal.

[We have that... that culture in Mexico. A policeman, you know how our own people's culture is: prone to drink, to yell, to fight (...). You arrive here, you speak no English, no nothing, you yell, you scare people, all of it, you want to do what you do in Mexico. Insult the Americans, why are you going to do that? You are in their country; on the contrary you have to respect to be respected. If you are going around insulting people... and most of them, most of them, don't ask me who, keep integrating, insulting people. It's different... and people don't come here to work, people come like on a trip. They come to work but... now, I don't understand them. I don't even understand them. To fight, to be looking for trouble, being that you are not in your country. You come to cause problems, go back to your country and cause them there. I tell you, I have a lot of friends... here you can drink, but in a healthy way. You come here from far away (...) and your poor mother there praying for you, beating herself in the chest, all what you want, and you misbehaving.

Two things are made clear by Gilberto: first, there is a clear culture clash between Mexico and the United States, and it comes to the surface on how to deal with interpersonal relations or in how to behave in public. Second, it is a relevant fact that the migrant is not in his or her own country. As he understands it, it is important to acknowledge this and to make what he thinks are needed changes in behavior and expectations. The issue of drinking, in particular, is one that many Latinos seem to face constantly, as there are different normative standards of behavior in the home countries and in the United States regarding when, where and how much to drink. In addition to this, the vulnerability of the migrant makes drinking a particularly worrisome situation: it can create problems for the individual and his family if they have it, and it can put pressure on the Latino community at large.

As it was expressed by Gilberto, drinking (along with all his other concerns) was something that Latinos should shape in accordance with local customs. However, bringing together all the different accounts on alcohol and the issues it raises among Latinos, it becomes clear that it is not as easy as that. It is important to consider, for instance, that normative standards for alcohol drinking are not necessarily the same in the United States and the countries from which Latinos migrate: as Nuijten (2005) discusses with the case of Mexico, partying as it

is understood in the home country is an issue that does have different standards in both countries, with many men in her own study complaining about the “lack of freedom” for partying that they experienced while living in el Norte. As many scholars working on alcohol consumption have identified, alcohol consumption and inebriation is understood as a social event in Latin American countries and is thus accepted as normalized (Mandelbaum 1965; Room, Agar et al. 1984). However, the situation is not simply one of contrasting normative systems: the situation of inequality in which Latinos exist puts additional pressure on them as individuals and as a community to come up with standards that address this context, standards that can be much more demanding than those in place for other individuals. On the one hand, there is a vicious cycle created by the power differential in which Latinos exist in the United States. As it is expressed through discrimination and also through loneliness and helplessness, inequality can create the perfect setting for increased alcohol consumption; at the same time, increased drinking in the community as a whole carries the risk of further strengthening the prejudices about Latinos that foster discrimination and marginality in the first place. On the other hand, Latinos’ marginality makes them more susceptible to the social dangers of alcohol, and the price to pay for those dangers is therefore usually higher. In both of these situations culture differences, discrimination, and inequality, have an impact on the ways in which Latinos envision their own community and the standards of behavior to which it should be held.

José, the young man who was quoted at the beginning of section 3.2.2.2 in his response to a particularly dramatic case of racial profiling by the police against him, confided with me that depression almost sends him into alcoholism. Loneliness, the constant lack of recognition of his work’s value, and a series of discriminatory experiences after moving to the Pittsburgh area sent him into a deep depression, and depression led him to drinking more and more. This situation,

with minor variations, was something that I heard various times during fieldwork, not only from the men themselves, but also from their female partners as they worried about them. In addition to usual concerns regarding safety and the negative impact of alcohol in health and relationships, most of the Latinos who touched upon the drinking issue also recognized the systemic dangers for them as a group.

As Gilberto, many people shared with me at various times their concerns with Latinos and drinking.

A veces hay gente que en su situación que están a veces siguen haciendo cosas que no deben hacer, como manejar borrachos, como... andan en la calle borrachos y todo eso. Yo creo que eso es lo que más le arruina su reputación al hispano aquí. Yo no digo que todo tenga que quedar encerrado en su casa y tener miedo de salir, no. Pero siempre tengo una mente que si tú sabes en la situación que estás no tienes que buscar el peligro. Yo soy del tipo de persona que cuando yo sé que hay un peligro yo trato de evitarlo; no es como que voy a provocar mi suerte. Pero a veces es entendible también porque tenemos muchos latinos jóvenes, solos, entonces ellos ven la vida de otro ángulo que como lo vemos nosotros ya de edad. Entonces, a veces quiero entender pero no necesitas ser joven ni viejo para darte cuenta del peligro que puedes correr haciendo cosas que están inadecuados, tú sabes que puedes perder algo, ¿sabes?

[Sometimes there are people that in the situation that they are and they still do things they shouldn't, like drive drunk, like... to be in the streets drunk and all that. I think that this is what mostly ruins the Hispanic reputation here. I don't say stay locked in your home and be afraid to go out, no. But I always have in mind that if you know the situation in which you are you cannot look for danger. I am the type of person who avoids danger when he knows it's there; I'm not going to push my luck. But it's sometimes understandable also because we have a lot of young Latinos, alone, so they see life differently than us older people. So, sometimes I want to understand but you don't need to be young or old to understand the danger that you can be in doing inadequate things, you know that you can lose something, you know?]

These words of wisdom from a thirty-years-old man clearly state the structural dimension that the cultural differences in alcohol consumption have for Latino immigrants. On the one hand, the marginality of many Latinos helps explain their use of alcohol and the resulting involvement on dangerous situations. On the other hand, in the same way as structural causes lead to these

individuals' behaviors, these individuals' behaviors have structural consequences: the reputation of the whole community lies in the hand of each and every Latino, in the sense that only a few can ruin the collective's reputation. It is this reputation the one that will then feed the prejudice that will lead to discrimination which, bringing the cycle back to the beginning, will create further marginality and exclusion that can lead to major drinking.

This last quote also stresses the second dimension in which the norms of alcohol consumption need to be revised by Latinos in such a way that they adjust to their particular reality in the new country (as opposed to a perceived generalized behavior from their home country – such as driving drunk, or the norms that apply to non-Latinos in the United States). Whenever alcohol is mentioned, Latinos tend to make explicit the ways in which their own cultural norms differ from local expectations. One of the respondents of the in-depth interviews told me that her husband, an American, used to think that she was an alcoholic, “*pero no, solo soy colombiana*” [but no, I’m just Colombian]. In other occasions Latinos have been quick to point out the local rules regarding alcohol consumption in public spaces, the hardness of drunk-driving rules, and the social inadequacies of drinking Latino style in American occasions. It is clear that there is a shared feeling that a tension exists between what Latinos knew and did back home and what they are expected to do in the United States. This normative difference is also supported by the literature on alcohol consumption, that has consistently recognized the social and “normalized” acceptance of alcohol consumption and inebriation (to the point of suggesting that this socialized drinking prevents the development of actual alcoholism) (Mandelbaum 1965; Room, Agar et al. 1984). However, the process of redefining these norms is not one of simple replacement. Instead, Latinos take into account their unique situation in the United States and,

again, the context of inequality in which they exist to create, as was the case with the legal institutions, a hybrid context in which to frame drinking behavior.

Perla and her husband, a young couple from Guatemala, offer a dramatic example of this. I interviewed Perla at her house, and the day in which we had our interview she was very upset because her husband had not returned home the previous night; this actually almost cancelled the interview, since I only had his phone number and he was unreachable. When I finally arrived at Perla's home, her concern about her husband's drinking out with friends became a recurrent theme. When we paused the interview while she warmed a bottle for her son, she decided to keep talking about this. She constantly asked him to stay home with his son instead of going out drinking with his friends. "*Es que ya borracho se puede meter en problemas y eso me preocupa ya a mí*" [It's that once drunk he can get in trouble and that worries me]. Unfortunately to them, her words acted as an Oracle. One year after our conversation, Perla's husband was arrested accused of killing his passenger, one of his drinking friends, in a DUI (driving under the influence) accident. Given his undocumented status, Perla has not been able to visit her husband while he is in jail awaiting trial, and her son has had no contact with his father since the accident. In addition to this, the separation will only become stronger once the murder trial ends and he is deported. Finally, Perla's situation became even more precarious than before her husband's arrest, since he was the only one working in their home at the moment of the accident, and the only one who spoke English; without him Perla was left alone without a husband, an income, and a translator with the outside world. None of these, of course, are things that American citizens need to worry about when thinking about their next drink.

Much less dramatic than this family's case, the pressure over the potential consequences of drinking do hang over all Latinos. During my fieldwork I met with people who were being

denied citizenship for having open DUI cases, and well respected professionals who almost had their careers in the United States finished after a DUI case. As people build their lives in a foreign country while having a transient status (be it undocumented or simply that of a visa holder), the pressure is on them to be able to keep what they have; the threat of having to leave the country, and the life they have built in it, is real and concrete. As a response to it, Latinos are faced with the need to redefine their cultural norms of what is adequate and inadequate, even if not always in actual behavior, at least in the idealized version of what needs to be done.

This pressure of change and of creating new normative contexts that bring together the experience and knowledge on both sides of the border is not something exclusive of alcohol consumption. Other situations also press Latinos to do things that they might not always feel natural, due to the threat of being kept in the margins unless a compromise is reached.⁵⁴ In all these cases, what is determining is the inequality within which Latinos rethink their social norms of behavior, which forces them to find new standards that are able to address the very particular needs faced in such a context. This context is also decisive in affecting the alternatives that some Latinos do find to injurious experiences that are structured within this structure. The next chapter will look in particular to some of the alternative routes of action that Latinos have used to face the specific grievance of discrimination.

⁵⁴ For example, some well-educated Latino professionals in particular felt various pressures to change the language that they spoke in the streets. One woman who had experienced some difficulties having herself understood in English shared with me one day that some of her friends had suggested to her to only speak in English while outside her home. For her, this was a catch-22: if she spoke in Spanish she felt that she could be discriminated for it (as her friends suggested); if she spoke in English then she would be discriminated for having an accent.

3.2.2.3 Acting outside the box: dealing with discrimination

Deja de ser tapete y conviértete en la mesa. [Stop being a rug and become the table.]

Lupita

Since discrimination is a structural grievance, what is to be done when facing it is a decision that people make on multiple levels. In many cases, as was described above, those aggrieved feel helpless to do anything and remain passive in the face of discrimination. When people do decide to act and exercise whatever power is available to them, the range of possible responses among the Latinos in the Pittsburgh area is varied. While some focus on alleviating the negative impact that the discriminatory experience has had on their own self-image, or the image of the society in which they are living, others work on restructuring the specific relationship at stake, preventing something similar from happening again to them or even tackling the very inequality that allows discrimination to exist. Some others work on various levels at a same time.

José was working in a company when a police raid looking for documentation of workers took place. The treatment by the police was abusive: they entered the company “as if looking for a mass murderer,” yelling, humiliating the workers. When José gave his state driver’s license to the chief of police of the area, he refused to accept it as an identification form. Instead, he called the local office of ICE (the U.S. Immigration and Customs Enforcement office) to check José’s story. After talking with the immigration agent, who confirmed José’s legal status in the country, the chief of police said he still did not believe it, and cited José the next day at the police station. The next day José and his employer went to the appointment with José’s signed social security card, expecting that to be the “proper” documentation required. It was not, and the police officer continued to harass José for not providing enough proof of his documented status; he wanted to see all the paperwork of his file. He further wanted José to go after some of his coworkers who

had left after the police arrived. For José this was a deeply traumatic experience. As he explained to me, he would've been able to better accept it if the discrimination had come from anybody, but this was a chief of police.

Once this ordeal was over, José fell in a deep depression. He didn't want to have to deal again with the issue, or talk with anybody; as he said, he felt less of a person after it happened. He also felt that what had happened was a reflection of how the society as a whole regarded him as a person. With time, however, his approach slowly started to change. What helped most, according to him, was to talk about it with different people and learn that they supported him. Slowly, his understanding of the situation started to change. Rather than reading it as a reflection on the whole society in which he was living, José started to understand it as the behavior inspired by the prejudice of one man (who happened to be a chief of police). Doing this helped him feel better about the situation. It also inspired him to do more: some months after the event, José shared his testimony of racial profiling in a voting rally organized for the Presidential election. He was also considering suing the chief of police, as he had been advised that he was still in time to do it. What he would like to achieve with this, he says, is not revenge; rather, he'd like to be able to make his aggressor understand the pain and sadness that he produced in him and all the other workers.

In his process, José has responded to the grievance that he suffered in various ways. On one level, he struggled with fighting the helplessness and frustration that this situation brought to him, which he was able to do by socializing his situation and also by personalizing it (that is, by placing the blame on an individual rather than on society as a whole). At another level, José has strived to use his own case to underscore the collective nature of his grievance: in going to the rally, José was presenting an illustration of an inequality shared by many others in the

community. Finally, as he explains his interest in making the chief of police “understand,” José shows concern with attacking directly the prejudice that caused this discriminatory grievance.

Although the alternatives sought by each person vary widely depending on the specific circumstances of their own discriminatory experience, many Latinos presented ingenious ways of overcoming, at least partially, the helplessness that they experienced with discrimination. Rafael, the man who was being threatened for having the Mexican flag in his car, confided with me that while at work he had to restrain and resign himself, if the man had said anything outside from that environment (which he never did) things would have been different. As a matter of fact, one day after work the American coworker who demanded that he didn’t use the truck with the Mexican flag was at the side of the road with a flat tire. Rafael made sure that the man saw him as he passed by without stopping. The next day the coworker mentioned what had happened. “*Ya bastante con escucharte aquí*” [I have enough with listening to you here], Rafael answered. In the broader context of power struggle in which they coexisted, this was a victory, however small, for the underdog.

Paola, the woman who received the “congratulatory” note when she became a citizen, also found alternatives to tilt the balance in her favor, showing particular talent in smoothing relationships strained by discriminatory behaviors. Before she even entered the company, the man who was to become his boss had questioned her capacity to write in English (“ok, you can talk in English, but can you write it?”). When Paola sent him a thank you note after the interview, she attached the copy of a paper that she had published in an academic journal. In the end, she says, this aggressiveness gave her the position. In the case of one of the coworkers who wrote a discriminatory remark on the card because he finds it hard to accept that she speaks with an accent, Paola says that “*poco a poco he aprendido a suavizarlo; he aprendido un montón de*

lidiar con otra cultura” [little by little I have learned to soften him; I have learned a lot about dealing with another culture]. To achieve this, Paola asked for his help in a job (which he did professionally) and later recommended him to receive a public recognition offered by the company to those that go beyond their duties to help a coworker. As he later told her, in twenty-five years working at this company this was the first time anybody showed appreciation for his work. After this, Paola reports, their relationship changed. Clearly, Paola’s heightened understanding of the American culture and her capacity to mold her actions in ways that are significant in the American context while also serving her objectives, have been crucial in her success. And although these actions seem to be focused exclusively to better her immediate work relationships, Paola expanded on her motivations:

A mí me parece que tiene que ver mucho con la malicia de las personas. La ignorancia se combate con enseñanza. No voy a ir a enseñarles, sentarlos en un salón y darles clases. Yo espero que al ellos verme, al ver cómo me desenvuelvo, cómo me desarrollo con la gente, o en la oficina, que a lo mejor yo sea el pequeño ejemplo que ellos necesitan para que la próxima vez que ellos vean a alguien ellos digan, ah sí... yo conozco a una tipa y es así y asá. Que a lo mejor la forma de verme, mi ejemplo, los haga a ellos actuar de una forma diferente con otro. Pues a lo mejor ya mi turno pasó, pero a lo mejor la siguiente persona ya van a tener una percepción diferente.

[I think it all has to do with a person’s intentions. Ignorance is battled with education. I won’t go and teach them, sit them in a room and give them a class. I hope that when they see me, as they see how I act, how I relate to people, or at the office, that perhaps I am the small example that they need so that the next time that they see a person they say, oh yes... I know this woman and she is like this and that. That perhaps how they see me, my example, makes them act differently with another person. Because perhaps my turn is already past, but for the next person they will have a different perception.]

As in José’s case, an important part in the process of dealing with this grievance was making explicit the collective and structural nature of it. Prevention of this situation, perhaps not for herself but definitely for other Latinos that might come, was an important part of her rationale.

Another common option that Latinos aggrieved by discrimination find is to use their personal networks, which can be done in a variety of ways. I have identified at least three different ways in which networks can be used to counteract discrimination: (1) to prevent it by having someone else, less likely to be discriminated against, do what is deemed needed; (2) to prevent it by playing with the image that the potential aggressor might have of the aggrieved; and (3) to use the leverage of networks to change the attitude of those having the discriminatory attitude. The first two options are useful only as individual strategies to cope with the grievance: they are preventive measures that only affect that particular individual's likelihood of facing a discriminatory experience. The third one, on the other hand, has the potential to address prejudice as such, and thus to prevent discrimination in the future to a broader range of Latinos.

Although María has been living in the Pittsburgh area for over three years and studies at a local university, she still struggles when talking on the phone with people. In particular, she feels that she is not taken seriously, which frustrates her deeply. Instead of facing time and again the negative responses that she receives due to her accent, María asks her husband to do all the talking when people "refuse to understand my accent." Another alternative to preventing a discriminatory experience was devised by Pedro and his wife (who is a white European). After realizing that every time they came into the country separately Pedro was stopped at immigration (sometimes for hours), but when they entered together they were allowed in without problem, Pedro's wife decided to always wait for him and enter as a couple thus preventing further delays. Finally, Juan Pablo offers an example of the third strategy. Juan Pablo, who is married to an American citizen but suffers constant discrimination from his parents-in-law, has found in the rest of his wife's family a good ally to counteract, and even change, his wife's parents' prejudices against him.

The main limitation with all of these options, unfortunately, is that for all of them the person aggrieved needs to have the social capital that allows him to have access to personal networks that can achieve this purpose.⁵⁵ In this sense, these resources are not distributed equally across the Latino community, and thus leave some better equipped to confront the discriminatory practices they might face. However, and although this does seriously limit the array of possibilities available to some Latinos, particularly blue-collar ones, it does not mean that they always opt for passiveness. Some of them have been able to find alternatives that nonetheless target the structural inequality that underpins the discriminatory experience. The most remarkable example of this is, without a doubt, the effort that started in 2007 under the support of the local organization Pittsburgh Interfaith Impact Network (PIIN) and the Civil Rights for Immigrants (CRI) taskforce, along with numerous members of the Latino community in Pittsburgh.

PIIN is a politically active group comprised of more than thirty religious congregations and organizations including Catholic, Jewish, Muslim, Protestant, Quakers and Unitarian groups that in year 2007 decided to formally organize the local population interested in addressing what was perceived as a pattern of increasing number of Latinos unlawfully stopped by the police (in what they claimed was racial profiling) and later deported in the area. The reality of this racial profiling was difficult to prove for this group, particularly because the lack of actual reports filed against the police acted as an obstacle to its recognition. However, since the first PIIN-CRI meeting in 2007 and the events that developed from it, racial profiling cases have been mentioned in the local news and are certainly becoming more visible (Lord 2007; Sherman 2008; Sherman 2008; Sherman 2009). Additionally, although no hard numbers exist on racial profiling,

⁵⁵ How personal networks are used in the processing of grievances will be discussed in more depth in chapter 4.4.

it is unquestionable that the number of defendants in immigration offense cases in the region did explode since year 2004, going from only 3 in 2001 to at least 39 in 2007, when the Taskforce formed (Table 7).

The PIIN-CRI set itself to express its concerns to the local authorities and to demand action. In order to do so, and with the constant support of PIIN, a meeting was arranged between Latinos in the region and the local Chief of Police in September 2007. With the mediation of PIIN the Taskforce was able to gather almost two hundred Latinos, many of them undocumented, to report instances of racial profiling by the police department and to together demand the stop of these unlawful detentions. Eight people were selected to give testimony of their experiences at the meeting, some of which have been mentioned above.

Table 7: Criminal Defendants Commenced for Immigration Laws Offenses in the 3rd Circuit, District of Western PA

Year	Defendants Minimum** (change from previous year)	Defendants Maximum*** (change from previous year)
2001	3	3
2002	8 (166%)	8 (166%)
2003	8 (0%)	8 (0%)
2004	13(63%)	13 (63%)
2005	16 (23%)	16 (23%)
2006*	27 (69%)	37 (131%)
2007	39 (44%)	62 (68%)
2008	62 (59%)	76 (23%)
2009	63 (2%)	72 (-5%)

Source: United States Courts, Federal Judicial Caseload Statistics (accessed online <http://www.uscourts.gov/>)

* Since 2006 caseload reports split what were formerly aggregated as “Immigration Laws” offenses into “Improper Reentry” and “Other Immigration”. To make data comparable, numbers for year 2006 on were split between a minimum number of defendants and a maximum.

** The minimum number of defendants for years 2006 on are those catalogued in the caseload statistics as “Improper Reentry” and assumes all the “Other” cases had the same defendants.

*** The maximum number adds the cases under “Improper Reentry” and “Other,” which would assume that none of the latter defendants had also been charged for Improper Reentry.

One year after this initial gathering a follow-up meeting was called by the Chief of Police, with more heads of local police departments and again hundreds of Latinos. In the meeting the advances regarding unlawful detentions and the cultural understanding of Latinos from the police force were recognized, although with some new (but fewer) complaints of racial profiling. A few months later, in preparation to the presidential elections in the United States, the Latinos joined a multitudinous rally organized by PIIN for then-candidate Barack Obama. It was in this meeting that José shared his case as a way of dealing with this own frustration. In this meeting racial profiling was again mentioned, this time combining the concerns of Latinos with those of African-American members of other PIIN congregations.

The most striking consequence of these events is, without a doubt, the policy change in early 2010 within the Pittsburgh Police department. According to the new policy, police officers in the Pittsburgh area are no longer allowed to ask for immigration status. When asked whether previous experiences in the area had triggered this change of policy, Pittsburgh's Chief of Police answered: "This is a reason why we revised our current policy to address and curtail this type of inquiry" (Young 2010). As the Chief of Police compromised himself in the meetings with the Latino community, he has moved against the state current in the controversial topic of immigration.

3.2.3 A summary: opening the door to inequality in grievance

This chapter broadened the traditional focus of research on disputes to a more comprehensive concept of grievance. The main goal of this broader look is to adequately address the important role that social inequality has in the production, and processing, of many grievances. Rather than understanding grievances as mere glitches in an otherwise balanced order, this perspective

recognizes the intrinsically unbalanced context in which social life takes place. As such, it is important to allow a space for situations in which individuals may feel aggrieved but for some reason the situations does not transform into an open, dual relationship. This is particularly important when studying conflict in communities where structural inequalities are a core vector in defining that community, as is the case of transnational migrants.

The explanatory power of this broader focus is illustrated in this chapter through the case studies of Latinos facing discrimination in the Pittsburgh area. By focusing on grievances rather than on disputes, it is possible to recognize the many situations in which a dispute never arises because no claims are made by the aggrieved party. By introducing discrimination, it is possible to recognize some of the contextual limitations faced by Latinos that prevent them from claiming the rights that have been violated. Social inequality, as it affects the experience of grievance, also explains the intent and value of some of the options that are implemented by Latinos to address their discriminatory experience. One particular example that was offered in this chapter of this new creation of normative standards that draw from both the native culture and the hosting American culture is that of the social norms about alcohol consumption. This normative system is redefined partly due to the pressures of inequality and potential discrimination, and illustrates a process in which transnational migration, by introducing a set of people in a new context of inequality, forces the reconsideration of social and cultural norms of behavior and self-definition that can go well beyond the direct issues at stake. Although discrimination as such is not about alcohol drinking, Latinos have been faced with the necessity to think about their own norms on this activity as a way of responding to the social pressures that define who a Latino is and why he or she should be continued to be considered as different and dangerous (or not). In this way this chapter advanced how the hybrid contexts within which Latinos interpret and mold their

normative standards and behavior are an important tool in understanding the Latino experience of discrimination. The next chapter will further develop this idea for grievances in general.

3.3 RECOGNIZING A GRIEVANCE

When does a grievance process begin? Seemingly a simple question, this is an issue that is at the core of many Latinos' experience of grievances in the Greater Pittsburgh area. As a matter of fact, the literature on grievances/disputes, which was discussed in chapters 1.0 and 3.2.1, does not acknowledge the existence of any stage regarding the recognition of the grievance as such. When does a grievance exist? What does it mean to be aggrieved?

Grievances and being aggrieved are not the same thing. For this project, grievances are understood as the process that unfolds after a perceived injurious experience. The process then necessarily starts with a discernment of what is desirable (what is right or wrong) against which the injurious experience is perceived, or in other words, the recognition that a grievance has occurred. As it happens, however, it is possible to feel aggrieved but then to not recognize a grievance as existing due to the discernment process discussed above, in particular due to the normative system that is used to contextualize the situation. Some examples of this will be presented later in this dissertation, as when women are the victims of what would be recognized in the U.S. legal system as domestic violence. In some of these cases while women do recognize their negative feelings about the situation, and thus feel aggrieved, they interpret it as within the normative expectations, for instance if it is culturally acceptable for them due to the type of relationship they have with the aggressor. If no injurious experience can be recognized, particularly because no norm can be identified as having been broken, the perception of being

aggrieved does not equate with the perception of a grievance having occurred. In the case of Latinos in the Greater Pittsburgh area, this is directly related with the system of inequality in which Latinos are immersed as transnational migrants, and the different hybrid normative systems that each Latino constructs from his or her experience and then uses for interpreting the aggrieving experience.

This section will look into three instances that can produce a break between feeling aggrieved and recognizing a grievance as occurring. The first one occurs when extremely divergent legal and social cultures are brought together in the hybrid normative system used to interpret the situation. The second one takes place when the aggrieving situation transversally cuts multiple arenas of the aggrieved party's existence, making it difficult for that party to clearly define a context on which to interpret the situation. For example, many Latinos refuse to recognize grievances when friendship can be on the line, or find it difficult to assess and address situations in which actors of different spheres of their lives come together. Finally, the third instance discussed in this chapter is when marginality itself is at the root of a grievance, as it makes the situation harder to recognize as a grievance.

3.3.1 Which norms? Whose norms?

Él siempre me decía que yo no sabía cómo funcionaban las cosas, cómo eran las reglas acá.

[He always said to me that I didn't know how things worked, what the rules were here.]

Claudia

Shortly after arriving from Uruguay to her sister's house in western Ohio, Claudia moved to the Greater Pittsburgh area following a job offer at a restaurant. While working there, she met an

American who was a regular client. He took her on trips, invited her to restaurants, to concerts, and only a few months later he asked her to move in with him and his daughter. At that moment, in her words, she was in love. However, as soon as she moved in, things started to change.

Ya cuando empezamos a vivir juntos, yo tenía que hacer todo lo que él decía. (...) Organizaba [fiestas] y yo tenía que estar ahí, y de repente yo me cargaba, porque tenía que hablar con gente que a mí no me gustaba; él quería que todo el mundo supiera que yo era su novia latina, que hablaba español. Y muchas veces yo le decía te juro que no quiero ir, y él se enojaba. (...) Yo tenía que ir, si estaba en su casa, era su novia. Con su hija también me obligaba; que tenía que ir y buscarla al colegio. Era como que yo tenía que ser la mamá de la niña, o tenía que ser su esposa y tener todas las responsabilidades [pero solo teníamos tres meses]. Y yo lo encontraba raro, pero yo decía a lo mejor así tiene que ser en este país, porque uno no sabe tampoco.

[When we started to live together, I had to do everything he told me to. (...) He organized parties, and suddenly I started filling up, because I had to talk with people that I didn't like; he wanted everybody to know that I was his Latina girlfriend, that I spoke Spanish. And many times I told him I swear I don't want to go, but he got mad. (...) I had to go, after all I was in his house, I was his girlfriend. With his daughter he also forced me; that I had to go and pick her up from school. It's like I had to be the girl's mother, or be his wife and have all the responsibilities although we had only been together for three months. And I found it strange, but I said to myself perhaps this is how it is in this country, because one doesn't know either.]

In her relationship with this man, Claudia constantly questioned herself whether the situation she was experiencing was within the local American norms: she was feeling aggrieved, but she failed to recognize this as a grievance. Instead, she reasoned with herself that the problem was that she didn't fully understand the local culture because she was a foreigner, an idea that was further reinforced by his partner.

This perception of confusion as to what is "normal" (in this case understood as within the social or legal norms) or not in the new country is a common theme found in many Latinos' narratives, particularly among those who live in bi-cultural households (i.e. the spouses of American citizens). For many of them, a common question is whether a particular situation is a

marriage dispute or a cultural misunderstanding: how should the money be managed and spent, when should the couple have kids, when does a disagreement become abuse.

A Costa Rican woman who moved to the United States to be with her American boyfriend, decided to live with him when she arrived to Pittsburgh to study an MBA. Until they got married, they had ongoing disagreements about whether their finances should be managed together, or whether they were to be handled as separate. He understood that living together was equivalent to being married; she disagreed. After marriage, the misunderstandings about money continued but for different reasons: according to her he spends too much, while she is constantly trying to keep a family budget. The disagreements are so deep that the couple went to marital counseling trying to overcome them. In explaining the situation to me, she considered: *Tal vez si yo fuera una gringa estaríamos feliz. Yo creo que desde ahí es el problema, cómo fuimos criados. (...) Acá [el derroche es] muy generalizado por las facilidades que dan.* [Perhaps if I were American we would be happy. I believe that's where the problem is rooted, how we were raised. (...) Here over-spending is too generalized due to how easy it is to do it].

This interpretation that misunderstanding the normative system or lacking common normative standards is at the root of feeling aggrieved is a relatively common one, and is found in a broad range of situations. For Ana Paola, for instance, the source of most of her marital disputes is on a quite different arena:

Cuando tener un bebé. En la cultura Americana ellos siempre se preparan para todo. En la cultura latina no, ¿prepararse para qué? No, todo a su tiempo, decía él. Entonces a mí siempre me daba mal genio. Eso siempre ha generado un poquito de conflicto. Él dice que el problema es que yo vivo relacionada con muchas mujeres latinas y las latinas o tienen hijos o muchas están embarazadas. Si estas cargando los hijos ajenos, por eso te dan ganas de tener los tuyos. Yo empiezo [la pelea] y yo la termino: bueno, no te preocupes será cuando tú quieras. Llegará cuando dios quiera, no cuando usted diga. Y ya con eso me calla porque él sabe que soy muy religiosa.

[When to have a baby. In the American culture they always prepare for everything. In the Latin culture no, prepare for what? No, all at its own time, he said. So I was always upset. That has always created some conflict. He says the problem is that I am always hanging out with many Latinas and Latinas either have kids or are pregnant. If you are carrying others' children, that's why you want to have your own. I start the fight and I finish it: ok, don't worry, whenever you want to. It will arrive when god wants it to, not when you say so. And with that he shuts me up, because he knows I am very religious.]

In her case, the great distance that divides her own cultural expectations and her husband's goes even further. As she sought support from various sources (she talked with her friends, mother, mother-in-law, and priest about this situation), the types of suggestions that she has received are sometimes diametrically different. Most interestingly, while her mother-in-law suggested to her that if her son was unable to provide her with what she needed then she should divorce him, her own mother advised her to just be patient and understanding.

Como la parte latina mi mamá por ejemplo busca la forma de solucionar las cosas pero que nos mantenga unidos. Paciencia hija, mucha oración, sé más comprensiva con él, dale su tiempo. Pero acá es el sentido opuesto, tajante, si no le sirve deséchelo y búsquese otro que le de lo que usted quiera. (...) Ella es su mamá, pero como la cultura... sí, la cultura.

[As the Latin part my mom, for example, looks for the way to solve things but keeping us together. Patience *mija*, a lot of prayer, be more understanding with him, give him his time. But here it is the opposite, categorical, if it is not useful get rid of him and look for another one that gives you what you want. (...) She's his mom, but the culture... yes, the culture.]

What is most interesting in this case is that Ana Paola perceives herself as living in between at least two vastly different normative systems. One is represented by her mother, who presents Ana Paola with a particular vision of family and the role of wife: the union of marriage needs to be fought for; the wife needs to be patient. The other culture, the American culture, is represented in Ana Paola's mind by her mother-in-law: individual desires are more important than the married couple; utilitarianism is the ultimate norm. In the middle lies Ana Paola, who

uses these maps to interpret her own situation of being aggrieved by not being able to start a family, and to define what she needs to do (or not) to overcome this situation.

For other Latinos, this life “in the middle” creates situations where they are unwilling to recognize as a grievance a situation that in the American context would clearly be one, but not in the context of where they are coming from. The clearest case of this is Lucrecia’s, who came to the United States from a small village in El Salvador. She was brought to Pittsburgh by her oldest cousin, whom she recognizes as a brother, and when she arrived she moved in with him to an apartment that he shared with other coworkers from Central America. One of these men later became her boyfriend, and she was explaining to me that the main reason why they fought as a couple was the poor relationship between her boyfriend and her cousin. It all started when they all still lived together and Lucrecia was hit by her cousin; her partner was unable to forget this, and it created a rift between the two men. As for her own relationship with the cousin, she forgives him because he is her “brother.”

Ellos me criaron, ellos me dieron todos los utensilios para estudiar, todo para mi escuela me costearon todo, ropa, zapatos cuando yo me fui con mi abuela. Por eso digo en cierto... es como que tuviera un poco de derecho conmigo permitirle, ¿no? Y como uno también está acostumbrado a no faltarle el respeto al hermano, no gritarle. Ese respeto yo lo tenía; luego le conté [a mi hermano en El Salvador] y él me dijo que si no me respeta no tengo por qué respetarlo. Entonces él me dio autorización; y fue al ver que yo ya no era tontita...no es que fuera tontita, no quería yo... él ha cambiado conmigo. Yo hablé con [mi primo], le dije esto y esto, y le dije "tengo la autorización" de que si tú me gritas, yo te grito, (...) y así fue que ya, ahí bajaron las cosas.

[They raised me, they gave me all the school utensils so I could study, everything for my school, they paid for everything, clothes, shoes when I went to live with my grandmother. That’s why I say in some... it is as if he had some right with me to allow him, right? And since one is used not to disrespect one’s brother, not to shout at him. I already had that respect; then I told [my brother in El Salvador] and he said to me that if he didn’t respect me I don’t have to respect him. So he gave me authorization; and it was upon seeing that I was not dumb... it’s not that I was dumb, I didn’t want to... he has changed with me. I talked with [my cousin], I said this and that, and I said “I have authorization” that if you shout at me, I shout at you, (...) and that is how, things settled down.]

What makes Lucrecia's case most interesting is that the only grievance that she recognized was the one caused to her by the tense situation between her partner and her cousin. Although I had already asked her about any instances of domestic violence, and had explained to her (answering her own question) that this could include violence between anybody with whom she shared a household, she did not mention the situation with her cousin. She mentioned a few situations in which she and her partner engaged in pushing and shoving, but she never mentioned her cousin's hitting until I inquired about grievances occurred due to other family members as they relate with her and her partner. As she explained to me, her cousin hitting her only became a grievance after she received authorization from her brother in El Salvador to defend herself. And it was only until this moment that Lucrecia was willing to address the issue with her cousin (make a claim), and have it resolved.

In a broad sense, and as some Latinos put it, this process of assessing the norms available to determine the existence, or not, of a grievance can be framed in terms of the new "system" in which they are now placed. This system is usually perceived as a blurry entity that is identified as being both different to what they already know, and unknown. Since it is different, Latinos sometimes understand that it is valid to assess situations differently depending on who are the parties involved (which is exactly what all the cases already depicted have done): if the aggrieving situation is with a person with whom they share the previous culture, as is the case with Lucrecia, the norms from that culture can be used. If the situation is with an American, Latinos tend to be more flexible and use a hybrid model to assess the situation, one that takes into account the perceived cultural differences between the parties involved. The unknown nature of the American norms, however, creates a constant questioning of the adequacy of the own feelings of being aggrieved (as happened to Claudia, above). In the cases collected for this

project, this latter opinion was a common reason to “assume fault” of a grievance, that is, to consider that although feeling aggrieved the blame should be placed on themselves.

Many of the grievances that fall in this latter category refer to problems with debts. In many cases Latinos reported to me feeling aggrieved for having to pay what they believe is an excessive cost for a service (be it a wireless carrier, the fixing of a car, basic health care), but then expressing that the situation arose from their own lack of understanding of the system.

Puede ser también no tener el manejo, completamente, del sistema de salud que tenemos. (...) Estaba acostumbrada que si vos pagabas una cobertura médica si tenías que pagar un plus no era lo suficientemente alto, era como un plus, como quien dice una cosita. (...) Bueno, usted no preguntó si eso estaba dentro de su cobertura médica (...) Si, pero tampoco nadie me dijo si yo estaba dispuesta a pagar esa cantidad de dinero por un estudio que no era realmente necesario. Como el estudio ya había sido realizado, me toco pagarlo igual.

[It well might be not knowing the ropes, completely, of the health system that we have. (...) I was used that if you paid an insurance then if you had to pay something extra it wouldn't be too high, it was just an extra, a little something. (...) Well, you didn't ask whether this was covered by your insurance (...) Yes, but nobody told me either whether I was willing to pay that amount of money for an exam that wasn't even necessary. But since the exam had already been done, I had to pay it nonetheless.]

For many of them, this is understood as some sort of migrant's rite of passage. After being aggrieved and interpreting the situation as being the result of their own lack of understanding of the system, they feel better prepared for preventing future aggrieving situations. In many cases, people narrated these situations in terms of “lessons learned,” a recapitulation of the new norms and standards that they identify in the American society and what they need to do in order to prevent the aggrieving situations to happen again. Following are two examples:

1. *Son de terror acá. Lo que yo veo de este sistema, lo que veo en esta sociedad, primero, es que no puedes confiar en cualquiera. Segundo, si no corroboras ellos no lo hacen bien, si no te fijas, ellos no se dan cuenta, no son de los detalles.*

[Here they are something else. What I see in this system, what is see in this society, first, is that you cannot trust anyone. Second, if you don't double-check

they won't do it right, if you don't pay attention, they won't notice, they are not about details.]

2. *Uno sabe el precio de las cosas allá porque es muy estándar. Si le dicen que cuesta 80 cuesta 80. Acá uno tiene que estar desde el comienzo, uno le gasta bastante tiempo a, bueno, ¿qué le va a hacer al carro? Etcétera. Buena parte del proceso es acordar un precio en términos mucho más explícitos y después ya se puede hablar del precio.*

[There one knows the prices of things because it's all standard. If they tell you it's 80 it's 80. Here you have to be from the beginning, one spends a lot of time with, well, what are you going to do to the car? Et cetera. A great deal of the process is to agree a price in much more explicit terms and then you can talk about the price.]

In both of these cases, people talk about the American system as a set entity that is obscure but that can be, and has been, unveiled. In doing this, some power is achieved in the form of added chances of acting in a normatively appropriate way such that no further grievances occur: set prices to as much detail as possible, check for yourself the quality of the goods being purchased. Both of these new norms of behavior are rooted to some point against a commonly perceived difference social expectation between “Americans” and “Latinos:” full transparency. A common expectation that Latinos recognize as part of their own normative standard, and which they usually uphold in their interactions with other Latinos, is that all the parties involved need to be fully open about transactions and/or emotions (depending on the type of relationship). As in the two examples above, this is sometimes at odds with what they experience as immigrants. For these individuals, once the new normative standard of distrust as necessary is introduced, the individuals' normative systems become more complex, more nuanced and indeed hybrid in nature, composed of normative standards from at least two different identifiable cultures.

In this way, in a friendship relationship between Latinos not being fully open about one's feelings and needs can be interpreted as a source of grievance (“*no fue frentero*”). In the

relationships with Americans, on the other hand, not being completely open is rather identified as something that makes creating meaningful relationships difficult, but that cannot be blamed on the person but on the culture.

Yo siento que es una cuestión de no fingir tanto, si se permite la palabra, de ser un poquito más transparente al momento de estar hablando con otra persona, aun cuando no la conozcas, que es lo que yo siento con los latinos que no lo siento con [los locales].

[I feel that it is about not faking so much, if I can use the word, of being a little bit more transparent when talking with another person, even when you don't know him, which is what I feel with Latinos that I don't feel with [locals].]

In the same way that Americans are perceived as closed beings whose emotions and true thoughts need to be peeled out, the American system is treated as an unknown that needs to be learned. In this process, being aggrieved (and thinking about what caused this) appears as a particularly useful space in which to reveal important aspects of that system. A final example of this process, and the ways in which it poses limits on the number of grievances that are actually identified from all the instances of perceived aggrievement, is that of discrimination, which was already discussed to some extent in the previous chapter. When discrimination is perceived, a common first reaction among Latinos is to question whether they are simply misunderstanding the local culture, or whether the individual is being truly discriminatory (“*Me trató mal la cajera... ¿o tal vez es que yo soy muy abierta?*” [The cashier mistreated me... or perhaps I am too open?]).

Nowhere can this be seen more clearly than in the various reactions that different Latinos gave me to the ways in which they were treated in stores. When I asked about instances of discrimination, many responded that they had felt aggrieved at some point while shopping. As I inquired further, many found it difficult to pinpoint a specific instance, or a clear situation. When they did, I received opposing answers as to what they perceived as being discriminatory. One

man told me that at the store he felt overwhelmed by the interest of the people working there, asking him questions about what he needed or not (another man once told me that he believed that he was always followed in Walmart, which he interpreted as racial profiling). He then added that he understood that this was their work, but that nonetheless being as exposed as he was in this country, this felt quite uncomfortable and different from what he experienced in his home country (Mexico). On the other hand, a woman from Argentina told me that she had numerous times discussed with her mother whether they were being discriminated against while shopping *because they were seldom asked whether they needed something*. Nonetheless she also believed, and told so to her mother, that this didn't necessarily reflect a discriminatory intent, but rather the fact that the society in which they now live is different from the one they left behind.

This last example provides many valuable lessons about the convergence of normative systems and the recognition of grievances: first, both the perception of grievances and the normative systems in which Latinos are fluent in are quite individual and hardly homogenized. Although it is clear that in both cases the experiences that they have had in their countries of origin and now in the United States do shape why and how they feel, it is impossible to tell whether the differences in interpretation of the local American system can be explained by differences in gender, nationality, class, or perceived ethnicity of the individuals involved. Nonetheless, in the face of feeling aggrieved, these individuals reacted in a very similar way: they questioned their initial judgment by recognizing their status of migrants/outsiders, and with it their lack of knowledge of the local customs and expectations.

Questioning the validity of the reasons for feeling aggrieved is the result not only of a misunderstanding of the local norms as most of the cases in this section suggest: as shown in the latter situations of discrimination, as well as in Lucrecia's case, in many instances there are

deeper structural elements that hinder identifying grievances as such (and that are further strengthened by the very misunderstanding of norms). As various spaces of the migrants' life come together, many situations that aggrieve Latinos are difficult to interpret even to themselves. The next chapter will discuss this type of situations as it affects, in particular, Latinos who have a strong dependence on the people with whom the aggrieving situation occurs.

3.3.2 Overlapping spaces: friendship and grievances

For many Latino migrants, multiple spheres of life overlap with each other. It is common to have individuals who live in a household with coworkers, some of which might also be family members. Family, friends, coworkers, all share spaces and circles, making grievance situations particularly complex. While Chapter 4.4.1 will look in more detail the types of support networks that Latinos have, this section will focus on how the overlapping of networks impacts the ways in which Latinos interpret grievances.

Lucrecia's case, sketched above, is a good example of this. She lived with her cousin and other coworkers, one of whom became her partner. Living together with all of them, the situation between her and her cousin quickly became a dispute between the cousin and her partner. Because they work together, along with a sizable number of their acquaintances, the problem between the two men kept feeding itself, further aggrieving Lucrecia: "*Además, hay gente que lleva y trae, lo que dice mi hermano se lo vienen a decir a [mi pareja], lo que dice [mi pareja] se lo vienen a decir a mi hermano y ahí lo que hace es que se mantienen en pleito*" [Besides, there's people who gossip all the time, what my brother says they tell my partner, what my partner says they tell my brother, and what happens there is that they stay fighting].

A similar problem is faced by Teresa, who works in housekeeping in the same place as her sister-in-law, with whom she has a strained relationship. As a result, Teresa's already small group of acquaintances was reduced to a bare minimum after her relationship with coworkers was affected by the tension with the sister-in-law. This type of tension affected her in a very direct way after one coworker who used to give her a ride to work refused to keep doing so, which for months forced her to walk multiple miles to get to work.

Under circumstances like these, it is not surprising that social networks, friendships in particular, acquire a very high value for Latino immigrants who are particularly dependent on them. In some cases situations are interpreted as "grievances" exclusively from this particular standpoint, as the following two cases illustrate. In both of these cases Latinos identify a grievance that, although apparently about a commonly recognized norm that is broken (an unpaid debt in both cases), is actually explained by the aggrieved party as being about the loss of a friendship, not the loss of money or property. The grievance, for them, is not about money not paid back, but about an important relationship lost.

Pablo lives in the Pittsburgh area as an undocumented alien, and has a much reduced circle of friends. Five years ago, one of his two best friends asked Pablo to lend him his car; instead of this, Pablo offered his friend to sell him the car and they both agreed to the transaction. However, the friend only paid the first installment. In the meantime, Pablo's other truck broke down, which left them in the awkward situation of Pablo having to ask his friend for a ride to work with the unpaid car. However, Pablo always said to the friend "*si ya te di, ya te di*" [if I already gave it to you, I gave it to you]. Afterwards, the friend left Pittsburgh with the car to live in North Carolina, where his father lived, without paying more.

Después cuando ya se fue la amistad fue lo que más me dolió. A mí no me importa el carro. Me gustaba mucho su amistad, era muy buen amigo mío. Pero no

importa, igual se llevó el carro pero no importa. Me importa más la amistad. Yo lo llamaba y él no me quería atender más al teléfono. No te preocupes del carro, a mí me importa es la amistad. Éramos tres amigos bien amigos. Uno se fue a su país, el otro se fue con el carro. Me dolió mucho, perdí un amigo.

[Then when he left the friendship was what hurt me the most. I don't care about the car. I liked his friendship a lot, he was a very good friend of mine. But it doesn't matter, he took the car but I don't care. I care more about the friendship. I called him but he didn't want to come to the phone. Don't worry about the car, I care about the friendship. We were three very good friends. One went back to his country, the other one left with the car. It hurt me a lot, I lost a friend.]

As Pablo was telling me this story, which was prompted by a question about debts, he was very insistent in letting me know that he didn't care about the car, only about the friendship. It was the loss of the friend that aggrieved him, not the loss of the car. He felt very lonely in the United States, and it had been important for him to have the support that his two best friends offered, both of whom he lost. The only reason why the debt was relevant was because the awkwardness in the relationship was started by it, and the difficulty that his friend had had of maintaining the relationship untouched with such a debt between them.

A very similar narrative was given by Rafael, who had lent his friend almost \$800 in a moment of great need: his friend's wife was in jail and social services had taken his son. But as soon as Rafael gave him the money, the friend "disappeared," eventually returning to his home country. Rafael has tried to reach him, but he wouldn't answer the phone; he left messages, but he never answered them. As Rafael explained to me, he was not trying to ask for his money: "*yo le cuento como entre uno de los mejores amigos*" [I count him as one of my best friends].

Yo sentía que él me ayudaba, yo lo ayudaba. Que cosas de dinero no era, si no se puede no se puede. (...) El problema no es tanto por el dinero, sino por la amistad. (...) Él se fue tratando de esconderse, tenía deudas con más gente; y con los otros está bien, pero no conmigo. (...) Ya teníamos como ocho años de solucionar problemas, vivíamos varias personas. El también o mi hermana me prestaban dinero...

[I felt that he helped me, I helped him. That it was not about money, if you can't you can't. (...) The problem was not so much about money, as about friendship.

(...) He left trying to hide, he had debts with other people; and with others it is all right, but not with me. (...) We had almost eight years of solving problems, we lived many people together. He too, or my sister, lent me money...

Rafael explains in more detail the rationale he uses in assessing this grievance, agreeing with Pablo that it is not really about the money, but about the friendship. For Rafael, not paying a debt is something that is understandable under many circumstances (“if you can’t you can’t”). As a matter of fact, as friendships become strong they also become an important source of support (“he helped me, I helped him”) and once this level is reached, friendship becomes more important than whatever is indebted. What was owed could’ve been reason enough to cut ties with other people and leave, but this was not appropriate with him: they had been helping each other and living together for over eight years. They were close friends. However, the friend treated their relationship as any other and “disappeared” on Rafael... and *that* was aggrieving.

For both Rafael and Pablo, friendship is a valuable currency, particularly as immigrants. Friends help solve problems, offer emotional and financial support. Losing a friend can be, and clearly was for these two men, a source of deep grief. This made these men fail to recognize as grievances situations which under other circumstances could’ve been interpreted as such (the loss of a car or a significant amount of money). Rather, they interpreted the situations in such a way that these elements became secondary to the primary grievance of the loss of a friend due to that friend’s failure to uphold that friendship as a primary interest.

Interpretations such as this are caused in part by the particular importance given to friendship in certain circles of the Latino community. It is also the result of the structural space that Latinos occupy as migrants, particularly undocumented ones, where friends and close family become a valuable asset to navigate the system. This structural dimension also creates a whole array of grievances that are particular to Latino migrants, or at least to individuals who live in

similar social spaces. The next chapter will explore these, and how they play a role in the recognition of grievances among Latinos.

3.3.3 Structure as source of grievances: on migration, change and marginality

Yo pienso que esto pasó porque estaba tratando de vivir la vida que yo vivía en Perú en Estados Unidos.

[I think this happened because I was trying to live the life I lived in Peru while being in the United States.]

For Latino immigrants, migration itself produces situations and dynamics that can produce new grievances or strengthen existing ones. For some individuals migration produces changes in family or network dynamics, most commonly in household patterns and family roles. Additionally, being a migrant also places Latinos in particularly vulnerable positions as a result of their lack of documents or the limitations of a particular legal status. Finally, some of the migrants arrive to the economical margins of society, which brings with itself a series of grievances that are particularly acute in these spaces. This section will look into the ways in which grievances are shaped and impacted by structural forces faced by Latinos in the Greater Pittsburgh area.

For several Latinos, immigration itself can be a source of grievances. The types of grievances that occur under these circumstances are quite particular to the situation of immigrants, and the specific sources of vulnerability that they entail. Some grievances are clearly and directly related to immigration status, and are not exclusive of undocumented migrants. These are usually underscored when relatively “normal” situations or activities become particularly burdensome or stressful due to Latinos’ immigration status.

One morning, as I was waiting for the bus, I received a call from Mauricio, an undocumented Latino living in the city. He was anxious, and told me he needed my help: earlier that morning he had been in a car accident. Leaving to work with only one hour and a half of rest after his other overnight job, he fell asleep while driving and hit some light poles. An already stressful situation, this accident became particularly problematic for Mauricio for reasons not even he considered at the moment of the accident. While the insurance covered all the costs of the accident (which was his original concern), Mauricio found himself without a vehicle or a way to recover it after the accident. The car had been sent to a pound, and although Mauricio had no interest in getting the car back since it had been totaled and it would be too costly, he did need the plates from that car. Currently he was using a plate from another state, but it needed to be renewed soon; therefore, he was counting on the plates that were lost in the accident. However, recovering them was proving almost impossible: in order to claim the plates at the pound, Mauricio was told that he would need to present a valid Pennsylvania driver's license and have a valid social security number. He had neither. This also meant he could not acquire a new plate either. As for the one from the other state, he had no means to renew it, as it was not in his name. As it happened, the accident left Mauricio unable to have a valid plate. However, having a car was a priority for him as he depended on it to get to both of his jobs. As he explained to me, he was trying very hard not to use any false identification to solve this problem, but if things came to it, he would probably need to do it that way. For Mauricio, his undocumented status was creating a situation where he felt forced to further remain and act outside the accepted legal spheres.

But not only undocumented Latinos are in risk of facing grievances that are particular to their immigration status. Pedro's case presented above, in which his job was almost terminated

after the company's attorney failed to adequately process his visa paperwork, is an illustration of this. Other documented Latinos have faced problems when trying to reenter the United States and finding obstacles to completely fulfill all the legal requirements for doing so. In such cases, individuals tend to assume the fault of what had occurred. They considered that it was their burden to inform themselves adequately and learn about all the documents legally required from them (even when the individuals had sought the information but had been misinformed by immigration specialists about this issue). Nonetheless, they still felt aggrieved by the situation. As one of them put it:

Yo no voy a disculpar una cosa que es claramente discriminatoria poniéndole el título de políticas migratorias. Es claramente discriminatorio y me indigna profundamente. Yo no estaba triste. Estaba indignada. (...) ¿Con quién me indigno? Con el sistema.

[I'm not going to excuse something that is clearly discriminatory giving it the label of migratory policy. It is clearly discriminatory and it outrages me. I wasn't sad. I was outraged. (...) Who am I outraged with? With the system.]

In addition to "the system", people can also put pressure on Latinos, thus producing grievances to them. A common example of this was the experience of many Latinos who married, or intended to marry, American citizens: repeatedly they faced inquiries about the "real" reasons behind the wedding. Juan Pablo, a previously undocumented migrant now married to an American citizen, is a clear illustration of this. For years he has faced discrimination from his in-laws, who could not accept his status nor their own ideas of what that status meant. They believed that the only way he could have saved enough money to buy a house was by dealing drugs; his mother-in-law gave him articles about Latinos and how most of them are infected with AIDS and abandon the women they leave pregnant; this same woman also told her granddaughter that Juan Pablo was planning to kidnap her and take her away from the United States. Needless to say, for Juan Pablo this was a never ending source of grievances that,

although he never explicitly recognized as coming from his position in the social structure, wouldn't have occurred to him unless he lived in the social margins as an undocumented Latino migrant.

Dolores, whose encounter with the police was presented in chapter 3.1.1.1, struggles daily with this issue. In a strongly abusive relationship, the issue of her intent for marrying her husband is for her a usual source of quarrels. At the same time, it is her legal status that has kept her in this relationship. Talking about the process to become a legal permanent resident, she confided: *“él cree que yo me casé con él por papeles. Nunca fue así... pero en este momento yo no me voy porque estoy a punto y sería muy estúpido realmente irme”* [he thinks I got married for the papers. It never was the case... but now I don't leave because I'm almost [a legal permanent resident] and it would be really stupid to leave].⁵⁶ About a year before talking with me Dolores had left her husband, shortly after the failed attempt at receiving help from the police. As she told me, back then she left and left with nothing. Her expectation now is to at least walk away from the relationship with her legal documents. Several months after our interview, I met Dolores again in a park and I asked her about her process: she was living by herself and had finally become a legal permanent resident. She was also still married, and had a relationship with her husband, although she said it was still very difficult. For her, depending on her husband for her legal documents were both a source of disputes with him and a situation that worsened her vulnerability in an already troublesome marriage by forcing her to live with her husband against her will.

⁵⁶ The in-depth interview with Dolores was the most difficult of all the ones I did: because she had to hide what she was doing from her husband, we met in three separate occasions in the short window between the time she finished her job and the time her husband picked her up.

Not always, however, is the impact of being a new migrant so clear. In other cases, the situations are less obviously linked to the immigrant status. This is the case when certain dynamics that took place before migration are forced to change after crossing borders. Two relatively common ways in which this happens is (1) by a change in the traditional household composition, or (2) by a forced change in roles when families migrate together – a situation most common with immigrants who were from upper or upper middle class in their home country. Both of these are relatively common sources of grievances and are also linked, in the aggrieved's mind, to his or her own immigrant status.

As Latino immigrants move to the United States, particularly blue-collar migrants, it is commonly the case that migrants first share their household with other migrants. Who those other migrants are is usually dependent on the migration process that has been followed: when migrants are coming following other family members already in the area, they usually first live with that family. When migration is more work related, there are usually arrangements made in relation with the employment, the nature of which will depend on the nature of the employment. In many blue-collar jobs, the arrangement involves living in a house with many coworkers, near the job location. As Lucrecia's case above illustrates, this situation can produce grievances that would otherwise be harder to initiate. Even as blue-collar Latinos form their own new families (arguably the main reason why Latinos decide to switch to a more independent arrangement) there is a tendency to resort back to these multiple households when necessity so demands. The resulting agreements, in which families rather than individuals cohabit, are again particularly prone to tension. The balance then becomes to either choose a living arrangement that can, and does, give rise to disputes and problems but that diminishes the economic pressure on the family, or to live independently but with a higher stress on the family finances and with more pressure

over maintaining whatever incomes the family has. In this situation, the structural pressures over Latino migrants are multiple: on the one hand, the lack of support networks and an established capital (social and economic) in the United States makes blue-collar migrants rely on family and friendship networks, producing situations that can many times be dispute-prone. On the other hand, blue-collar migrants are also structurally marginal in an economic sense, which in itself puts further pressure on them to rely on whatever existing capital they have; thus, when dependence on networks does become problematic, poverty usually hinders any attempts of independence or avoidance.

Guadalupe and Miguel had been living for a couple of years with six other friends with whom they worked at a local restaurant. When Guadalupe became pregnant, however, she and Miguel decided they needed to move out as the space in which they lived was not adequate for a baby. Because precisely then Miguel lost his job at the restaurant and decided to move to Atlanta where he had a job offer, Guadalupe decided to move in with Rita, another migrant whose husband had recently been deported and lived with her daughter. A situation that seemed ideal as it helped both Rita and Guadalupe became highly problematic when Miguel returned to Pittsburgh after losing his job in Atlanta and Rita found a new boyfriend. Suddenly the apartment where they all lived became too small, and tensions didn't wait. Guadalupe and Rita were in constant arguments over how the children were to be raised (and whose role that was), and Rita started to resent the lack of privacy when it came to her new boyfriend. Meanwhile, Guadalupe and Miguel had to decide what to do: staying was becoming too stressful, but leaving was too expensive. They decided to move in with another couple, who also had a child, and with whom they felt they had a better relationship. However, only two weeks into the new arrangement the landlord kicked them out because they were too many people given the conditions on the lease.

Finally Guadalupe and Miguel moved to their own place, which is expensive for their income, so they both work seven days a week during the night shift (while the child sleeps at a friend's house in exchange for a small fee), and stay with the child during the day. In this way they can both have an income without having to pay for childcare in the hours when their son is awake. For this couple, their structural position has prevented them from finding stability in their living arrangements, which has had them living through a series of highly conflictive situations.

A second indirect situation that can be produced by the immigration status is the potential change in family roles when families migrate together. Migration, and the legal and economic forces faced in the new country, pushes many families to rethink and rearrange themselves as they settle down. This in some ways strengthens a process that Guttman has already identified as occurring in Latin America in changing traditional gender roles away from the “machismo” paradigm against which to understand men and relationships (Gutmann 2003; Gutmann 2006). In other occasions, particularly among immigrants that already do not abide by those “traditional” roles, migration can have an opposing effect. Many white-collar migrants, for example, who were used to having both members in the couple working in their home countries, are faced with the impossibility of doing so legally due to visa restrictions.⁵⁷ In addition to legal restrictions, economic ones also play a part in redefining family roles. Take the case of Ana María, who arrived with her husband and three children on a tourist visa expecting to legalize their situation as immigrants. Back in Chile Ana María's husband had a relatively good position in the mining industry; although Ana María worked, her income was always considered as something extra, with her husband being clearly the main provider. When they moved to Pittsburgh, however,

⁵⁷ Spouses of international students (F visa), researchers (J visa) and workers (H visa) face different levels of limitation to the activities that they can perform legally in the United States.

Ana María found a job immediately cleaning houses, and because they needed the money she took it. Meanwhile, her husband was having a very hard time finding a job that allowed him to stay and work legally in the United States, and also accepting any jobs that did not measure up to his professional expectations; even the idea of Ana María working cleaning houses, when in Chile they paid someone to do this work, was hard to accept for him. Suddenly, the family roles found themselves reversed with Ana María being the sole provider, and tensions mounted in the household. Ana María's husband became a stay at home dad by force, a role that he was neither used to nor felt comfortable in; Ana María gained independence and started to make some financial and household decisions by herself, without consulting the husband. Tension became so strong that the couple thought about separating. At the height of their problems the husband wanted to return to Chile, while Ana María was adamant against this option.

Ana María and her family are not the only ones facing this problem. As Nuijten had already identified in the specific case of Mexican migrants (Nuijten 2005), for many families in the Pittsburgh area the traditional gender roles from their countries of origin are put in question: this is mainly caused because women are more likely to find and keep their jobs, particularly in the service industry. As couples have children, these questions become even stronger when they decide whether the woman should stay home to take care of the children. This is a process that has already been identified, with multiple complexities, by Jennifer Hirsch in her study of Mexican transnational families: transnational migration does, in fact, impact women's lives. In particular, it triggers a transition from relationships based on respect to relationships based on trust and companionship, which changes the expectations and processes of courtship and marriage (Hirsch 2003). This was a source of grievance for five of the twenty Latinos interviewed in depth, four females (two spouses of Americans and two blue-collar) and one blue-

collar man. In all of the cases conflict arose as females expressed their desire to work instead of staying home while men expected them to stay and take care of the children and the household. In all of the cases, however, women found a way to do at least some work, therefore challenging the idea of the stay-at-home woman and embracing (to different degrees in all cases) the new idea of a household with two working parents. In one of the cases the change in paradigm was done somewhat differently, however, as the undocumented man preferred to stay at home with the children instead of leaving them with a “stranger” while his wife took into the role of main provider as she was better able to find a stable, well-paying job: “*Bueno, vete a trabajar por mí, le dije*” [ok, go and work for me, I told her].

For Latino migrants, the local structures in which they are placed have an impact on their own experience of grievances, as well as on their interpretation of those grievances in their own lives. The restrictions they face as immigrants help produce and deepen grievances, as is the case when legal status or poverty increases vulnerability, sometimes forcing them to stay in problematic situations. Meanwhile, their new circumstances also challenge their previous definitions of what is “normal” or “right,” and force them to rethink them and act accordingly. The new definitions are the hybrid result of those ideas already in place before migration as they are shaped by the new experiences of immigration and its marginality.

4.0 THE LATINO PROCESSING OF GRIEVANCES

This chapter, which centers attention on the actual grievance processing experiences of Latinos in the Greater Pittsburgh area, will rely mainly on the body of grievance cases built from data gathered in the in-depth interviews. The total number of cases collected for this project was of 205, 199 of them from the in-depth interviews. Of these, only 195 occurred in Pittsburgh; the ten others were recalled by interviewees during the interviews, although the questions asked specifically about situations occurring in Pittsburgh. Given that in the broader definition of grievance that I have suggested context plays an important role, grievance situations occurring outside from Pittsburgh were recorded but not considered for analytical purposes. This is particularly relevant when considering how people think and act about the resources they have available once a grievance has occurred, as it is certainly impacted by the social and physical structure within which people are situated.

From the 189 grievances collected through in-depth interviews, the number of cases by each respondent and the category they belong to (white-collar –WC; blue-collar –BC; and spouse of American citizen –SP) are relatively balanced (see Figure 3). Although as is to be expected some individuals reported more cases than others, cases were overall well distributed across the informants. The least number of grievances reported was by the male spouse of an American with just three, and the largest number was 16, reported by two blue-collar females. Overall, males reported somewhat fewer cases (average number for females is 10.3, and for men is 8.8

cases), but it is impossible to assess whether this is because of a lower incidence, male underreporting, an intrinsic bias of the sample, or the result of having a female interviewer.

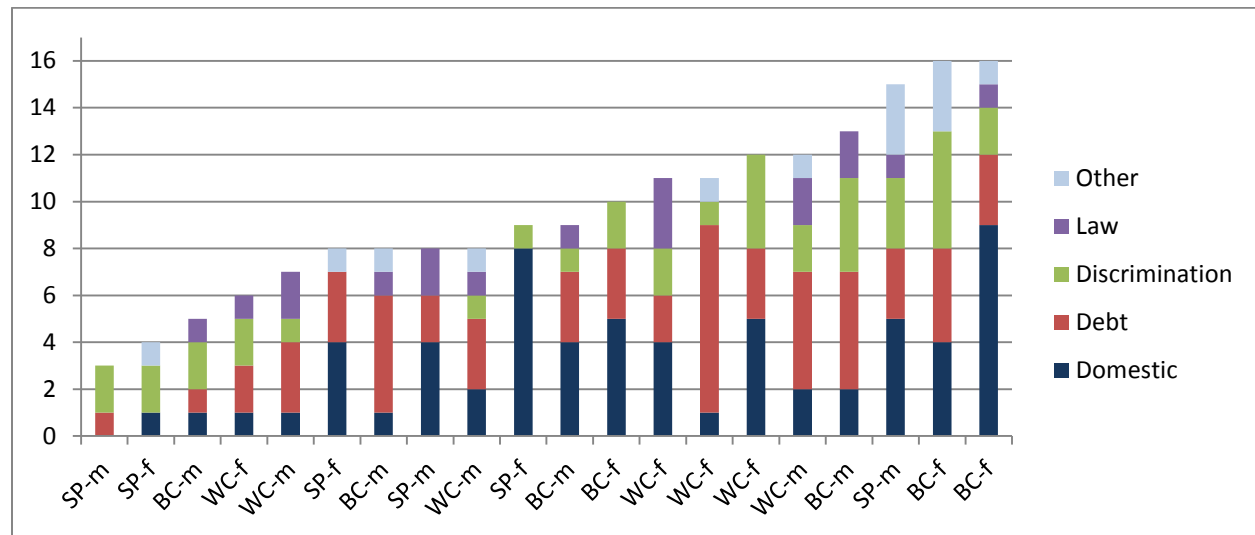


Figure 3: Cases reported, from low to high

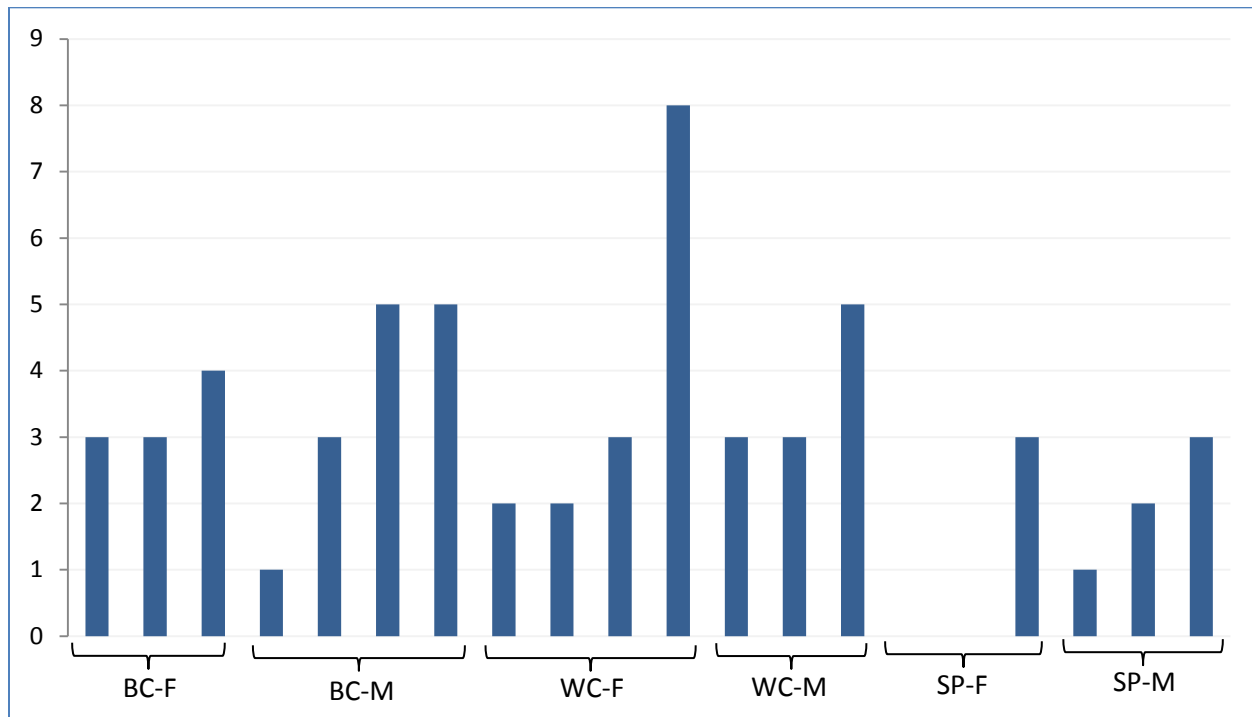
The distribution of the 189 cases in terms of the three categories in which the interviewees were divided according to the type of migration, and the four different types of grievances considered can be found in Table 8. The number of cases per respondent was on average 9.45, with this number being slightly larger for blue-collar migrants who have 11 cases per person, and smaller for the spouses of American citizens with 7.8 per person.

Table 8: Grievances by category of person aggrieved and type of grievance

	Discrimination	Debt	Domestic	Law	Other	TOTAL
White-collar migrant	13	26	16	9	3	67
Blue-collar migrant	16	23	26	6	5	76
Spouse of U.S. citizen	8	8	23	3	4	46
TOTAL	37	57	65	18	12	189

Within the different types of grievances that were inquired about in this project, there are some distribution issues that are worth commenting on. Regarding debt cases, spouses of Americans reported significantly less instances of such grievances. While the average number of debt cases was 3.7 and 3.3 respectively for white-collar and blue-collar migrants, for spouses of U.S. citizens it was of only 1.3 per individual. This difference is most likely the result of the larger involvement that American spouses tend to have with the financial aspects of the common goods. As it is developed later in this chapter, many spouses of Americans allow their spouses to deal with most of the financial aspects of their relationship (section 4.2.2.2), so it is possible that during the interview grievances on this realm were either unknown to the respondent or considered not directly related to them. As for grievances due to problems with the law, more men than women reported this type of situations (the average number of such cases was 0.5 per female and 1.3 per male). An analysis of these grievances suggests that most of this difference can be explained by the fact that men tend to drive more than women: many of the “problems with the law” were either traffic violations or could be tracked down to encounters with the police originally triggered by driving. As for domestic grievances, they were slightly less reported by white-collar migrants, who had an average of 2.3 instances per person compared to 3.71 of blue-collar migrants and 4.4 of spouse of U.S. citizens. When the spouse of Americans group is subdivided between white-collar and blue-collar according to their occupation and level of education, this result is strengthened: white-collar average changes to 2.4 and blue-collar to 4 cases per person. As was the case with male / female differences, it is difficult to assess whether this difference reflects a lower incidence, white-collar underreporting, or a sample bias.

Table 9: Number of debt cases by category and gender



Another aspect that was considered as it could have affected the total composition of the cases is that of years living in the Pittsburgh area. Since individuals were asked about cases of grievances while living in Pittsburgh, there is a danger that those living for a longer time in the region would be over-represented. However, this is not true of the 189 cases collected, as neither in the overall number of cases reported nor on the individual categories is there any incidence of time living in the city. If anything, the trend shows lower numbers for those living longer in the area, which might be explained by a better accommodation to the local system coupled with a lower recollection of those cases that might have occurred early on when they first arrived.

This chapter will concentrate on its entirety on the Latino processing experience of grievances. As with the previous chapter, it will pay particular attention to the use of the hybrid normative constructions introduced there to contextualize this experience. The chapter is divided in four main sections. The first section will present a more quantitative perspective on what

Latinos actually do to process a grievance, presenting some typologies identified through a cluster analysis of the grievances data. These typologies serve as an initial framing for the following sections, which look at two different aspects of action in face of a grievance: (1) the actual mechanisms recognized and used to deal with these problems (if any), and (2) the support systems utilized during this process. The second section looks into the processing options that Latinos recognize once aggrieved; not yet interested in what they actually *do* in response to the grievance, this section will discuss the array of options that Latinos *consider* available to them. A third section will look at what Latinos actually do to process a grievance, discussing the rationale and normative context that supports following a particular line of action. A fourth section explores the support systems used by Latinos when faced with grievances, and the ways in which they provide such support. A final section will present a summary of the findings in this chapter.

4.1 CLUSTER ANALYSIS

Before focusing on the rationale behind Latinos' decisions of grievance processing, this chapter will start with a clustering analysis of the database on grievances, particularly as it refers to the decisions made by Latinos in terms of what to do, and when to seek help. Clustering analysis techniques are meant to aid the classification of multivariate data, so that objects are grouped together into classes. In this project, cluster techniques aid the analysis of the data by offering a first layer of observation. Given the amount of cases collected, it is difficult to otherwise recognize recurring patterns of behavior or the possible relationships that might exist between different aspects of the cases. Rather than a final point, clustering analysis offers a first step in

organizing complex data, supporting some observations, and providing classes that can then frame the qualitative analysis presented later in this chapter.

Unlike statistical methods which require data that is representative of a population, cluster analysis is not meant to find characteristics that can be generalized to a broader community. Instead, cluster analysis suggests a way of ordering the data available. In the process of understanding what Latinos do once faced with grievances, cluster analysis allows the identification of underlying patterns, if any, that may exist in the observable behavior in the grievance cases.

4.1.1 Methodology for clustering analysis

In order to adequately cluster any data into meaningful classes, the first necessary step is to organize the data in such a way that it can be adequately clustered. Then, a clustering method needs to be chosen in accordance with the type of data available. Only after these two preliminary stages are exhausted is it possible to actually perform the clustering analysis. This section will explain in some detail the methodology followed in this process.

4.1.1.1 Organizing the data matrix

As it was stated above, after field work a total of 195 cases of grievances were collected among Latinos in the Greater Pittsburgh area. All of these cases were organized in an original data matrix that included basic information on both of the parties involved, the time of the occurrence, the type of grievance, the procedural mode(s) adopted by the reporting party, the

Table 10: Variables and values of original matrix of data collected for cases of grievances

Variables	Values (description)
When	Years since occurrence of grievance
Part 2	<ul style="list-style-type: none"> • Female • Male • Individual (when gender unknown) • Institution • Government • Other
Part 2 - Nationality	<ul style="list-style-type: none"> • American • Latino • Other • Unknown
Type of grievance	<ul style="list-style-type: none"> • Debt • Discrimination • Domestic • With the law
Procedural mode	<ul style="list-style-type: none"> • Adjudication[*] (third party with authority to intervene, i.e. courts) • Arbitration[*] (third party agreed to by principals) • Mediation[*] (third party aiding principals reach an agreement) • Negotiation[*] (two principals decide on settlement) • Coercion[*] (imposition of outcome by unilateral threat or use of force) • Avoidance[*] (terminate relationship / withdraw from situation) • Lumping it[*] (“letting go” as of grievance) • Assumed fault^{**} (structure grievance as occurring due to own situation/fault) • Talk back^{**} (letting know of grievance without necessarily making a claim or expecting further action) • None • Other
Support	<ul style="list-style-type: none"> • Family • Friend • Service Provider • Church • Other • None
Resolution	<ul style="list-style-type: none"> • Part1 (the aggrieved’s interests were fully met) • Part2 (the other principal’s interests were fully met) • Mixed (each principal had some interests met, some not) • Other • None (no resolution occurred)

^{*} These are taken directly from Nader and Todd’s project and represent the usual procedural modes recognized (1978).

^{**} “Assuming fault” and “talk back” were included after finishing field work, following initial reviews of the data which showed that many of the modes marked as “other” could be included in one of these two options.

sources of support sought and the resolution of the situation. The variables in the original matrix and the different values accepted for each type of information are summarized in Table 10.⁵⁸

As it can be seen in Table 10 most of the data, with the exception of the time of occurrence of the grievance, are nominal in nature; the categories within each variable are not intrinsically ordered. Because all clustering techniques need to rely on some measure of similarity, whether it is a distance measure or a similarity of coefficients, in order to prepare the data the variables were turned into binary ones: each possible value (basically each of the bullets in Table 10) was turned into a binary variable where 1 meant that the variable was present/true in the case, and 0 if it was not. This produced a data matrix with thirty-five binary variables and one scale variable (the time of occurrence). The importance of this transformation lies in the qualitative nature of most of the data contained in the matrix. In the original arrangement each variable was filled as a number value, with each number representing one of the possible values available. Depending on the variable and value, this was a number that ranged from 0 to 10. Since there is no intrinsic order between all the different possible values that any variable can assume, if these values were to be used instead of the binary ones the distance measures calculated during the clustering would be misleading. For example: if in the database the support variable is coded as (0) none, (1) family, (2) friend, (3) service provider, (4) church, (5) other, a distance measure will recognize someone asking for support to a friend to be “more similar” to someone asking support from a “service provider” than to someone asking for help at “church.” Even if the values are organized in the most meaningful way possible, this is

⁵⁸ In addition to the variables in Table 10, demographic information about the aggrieved party was included in the original database: (1) Gender (female / male); (2) Current legal status (US citizen / LPR / immigrant visa / non-immigrant visa / visa overstay / undocumented); (3) Entry legal status; (4) Household income (five ranks from under \$20,000 to over \$100,000); and (5) Education (primary / some secondary / high-school diploma / college degree / graduate degree / other degree).

still a strong assumption over the data, one that directly and strongly influences the clustering results. Instead of having this, a binary data approach will only recognize whether a specific support method was sought in a particular case or not, without making assumptions about the closeness or dissimilarity with other potential sources of support also recognized.

In addition to converting all variables and values into separate binary variables, cases were also randomized. Given that most clustering techniques are sensitive to order, and since in the original matrix cases were organized by aggrieved part, this is a necessary step to allow a meaningful clustering.

4.1.1.2 Selecting a clustering method

One of the most crucial steps in any clustering analysis is the selection of the clustering method. In order to determine the adequate method, it is important to take into account the type of data that is being analyzed, and the best match in terms of techniques. There are two main types of clustering techniques: hierarchical and k-means clustering.

Hierarchical clustering is a multiple step technique in which data is either fused into increasingly bigger clusters (agglomerative methods) or partitioned in to finer groupings (divisive methods). This technique's major pitfall is that it has no corrective methods, which means that any element that is inadequately clustered early on in the process remains that way, potentially affecting the end result (Everitt 1980). K-means clustering, on the other hand, does admit the relocation of entities, but requires the researcher to pre-determine the number of clusters to be assigned and needs to start with predetermined cluster centers. Distances from these centers are then computed, the centers re-determined, and the process iterated as many times as necessary to produce the most optimal partition. Unfortunately, this process assumes

quantitative data that at least reflect intervals or ratios; for binary or counts, the distance measures in this methodology are not useful.

Under these circumstances and despite its pitfalls the binary nature of the data in this project calls for the use of a hierarchical clustering technique. The next decision is to choose a measure of distance that allows for a comparison between cases that is appropriate to the data. The clustering algorithm will use this measure to compare cases and to determine their similarity/dissimilarity. With binary data, measures of distance are determined from contingency tables comparing each pair of cases. Each pair of cases will have a contingency table that will tally all the instances of variables in which both cases share an attribute (a in Table 11), those where one but not the other has the attribute (b and c in Table 11), and those where none of them have a given attribute (d in Table 11).

Table 11: Contingency table for determining similarity/dissimilarity of cases i and j

		Case i	
		Present (1)	Absent (0)
Case j	Present (1)	a	b
	Absent (0)	c	d

In the database built for this project, each variable was divided in as many binary variables as values it originally had. As a result, in all cases most of the new binary variables were computed to zero. For this reason, in the contingency tables of all pairs of variables the d value is necessarily large, with its meaning telling more about the nature of the database than about the similarity of any two variables. It is important then to use a similarity measure that underplays the importance of shared absences and stresses those of shared presences. The one

used in this project is the Dice measure (Equation 1, based on the contingency table presented in Table 11) which ignores shared absences and heightens the importance of shared positives.⁵⁹

Equation 1: Dice similarity measure for cases i and j with binary variables

$$DICE_{(i,j)} = \frac{2a}{2a + b + c}$$

4.1.1.3 Clustering of the grievance cases

After transforming the cases database and identifying an adequate clustering method and measure, hierarchical clustering with the Dice measure was performed on the data using SPSS. The variables included in the analysis (please refer to Table 10 for further detail) were: six variables determining the nature of the part identified as producing the grievance, eleven variables on the procedural mode elected, and six variables on sources of support sought. The variables used were chosen so preponderance was given to the data on decisions made by the aggrieved party in response to the aggrieving situation. In this way, it is possible to compare the resulting clusters with the variables not included (such as characteristics of the party aggrieved or of the grievance) and determine whether there is any relationship between any given class identified in the clustering process and any of those variables.

In order to make a decision on the best number of clusters to analyze, a range of solutions was saved as output, i.e. cluster membership was recorded for every case in the situations where 3, 4, 5, 6, 7 and 8 clusters were retained. The agglomeration schedule shows that while switching from 8 to 7 clusters joined one of the smallest clusters (with 6 members) to the largest one, subsequent steps agglomerated significantly and relatively larger clusters (16 members, 10

⁵⁹ To control for the impact of this decision clustering was also done with other appropriate similarity measures, with little impact on the end result.

members and 48 members). In an attempt to keep the analyzed clusters both meaningful and manageable, the seven cluster partition was retained for analysis.

4.1.2 Results

The seven clusters resulting from the hierarchical clustering of the data divide the cases in classes that range from three cases in the smaller cluster to 85 in the largest. The descriptive statistics of each of the clusters according to the variables that were used in the cluster are presented in Table 12 through Table 14. Not surprisingly, since these were the variables used to create the clusters, most of these variables were clearly agglomerated in one or more clusters.

Table 12: Cases in clusters by procedural mode chosen

	1	2	3	4	5	6	7	Total
Adjudication	3	0	9	0	1	0	1	14
Mediation	0	0	0	0	4	0	0	4
Negotiation	29	19	0	2	20	3	1	74
Coercion	4	0	0	0	0	3	1	8
Avoidance	7	10	1	2	6	9	1	36
Lumping it	36	6	1	5	4	5	0	57
Assumed fault	16	4	6	1	5	0	1	33
Talk back	14	4	0	0	4	8	0	30
Other	28	10	7	4	16	3	1	69
Total	85	38	18	10	25	16	3	195

Table 13: Cases in clusters by sources of support sought

	1	2	3	4	5	6	7	Total
Family	0	2	0	0	17	4	2	25
Friend	0	4	3	0	9	10	3	29
Service Provider	5	0	1	0	7	1	3	17
Church	1	1	0	0	0	1	0	3
Other	3	3	3	0	3	4	0	16
None	79	30	13	10	0	0	0	132
Total	85	38	18	10	25	16	3	195

Table 14: Cases in clusters by the nature of the part recognized as causing the grievance

	1	2	3	4	5	6	7	Total
Individual	85	0	0	0	22	16	0	123
Female	25	0	0	0	3	11	0	39
Male	44	0	0	0	15	0	0	59
Institution	0	38	0	0	2	0	0	40
Government	0	0	18	0	1	0	0	19
Other	0	0	0	10	0	0	3	13
Total	85	38	18	10	25	16	3	195

For the purpose of this project, cluster analysis proves most valuable if it allows recognizing underlying patterns of behavior regarding perceived grievances in specific groups of Latinos, or for specific types of grievances. In order to recognize this, the cluster membership was cross-tabulated with other data available about the cases and the parties involved in them.

A first level of analysis is to unveil the depth to which the nature of the part identified as producing the grievance, in particular its nationality, is correlated with the decisions taken in response to the grievance. To assess this, cluster membership and nationality of the part perceived as causing the grievance were cross tabulated. Because all grievances occurred in the United States, government and institutions always were American; this translates in that all the cases in clusters 2 and 3 are also all American and therefore present a strong membership association. More interesting are the situations when the part producing the grievance is an individual. The one instance in which this element correlated with cluster membership to a significant level was when the part producing the grievance was a Latina.⁶⁰

⁶⁰ The significance value of the Pearson chi-square is of 0.031, with a Cramer's V measure of 0.423.

Table 15: Clusters by the nationality of the part recognized as causing the grievance

	1	2	3	4	5	6	7	Total
American	40	38	18	4	11	11	0	122
Latino	39	0	0	2	12	3	0	56
<i>Female*</i>	12	0	0	0	3	2	0	17
<i>Male</i>	23	0	0	0	6	0	0	29
<i>Individual</i>	4	0	0	0	3	1	0	8
Other	5	0	0	2	1	2	2	12
Unknown	1	0	0	2	1	0	1	5
Total	85	38	18	10	25	16	3	195

* Chi-square <0.05

With respect to the person who is aggrieved, the following two tables present how gender of the party aggrieved was distributed in the clustering. This was the only demographic data that proved at least minimally significant in its distribution across the resulting clusters, although legal status, level of education and income were also considered. However, this relationship is significant but not too strong ($\Phi=0.242$); the strongest relationship is found in cluster 3 where most of the aggrieved are males (Table 16). When the cross tabulation of gender of the aggrieved party and cluster membership is further layered by category (white-collar, blue-collar or spouse of American citizen), the strength of this correlation is much stronger ($\Phi=0.376$) with only blue-collar migrants appearing to be significantly clustered by gender (Table 17).

Table 16: Clustering by gender of aggrieved party

	1	2	3	4	5	6	7	Total
Female	52	18	4	5	16	10	2	107
Male	33	20	14	5	9	6	1	88
Total	85	38	18	10	25	16	3	195

Chi-square <0.10

Table 17: Clustering by gender of aggrieved party, layered by category

		1	2	3	4	5	6	7	Total
WC	Female	11	3	0	1	3	2	1	21
	Male	10	5	4	0	3	4	0	26
	Total	21	8	4	1	6	6	1	47
SP	Female	11	3	0	1	3	2	1	47
	Male	16	5	5	5	3	0	1	35
	Total	27	8	5	6	6	2	2	82
BC*	Female	22	8	1	3	8	5	0	47
	Male	16	5	5	5	3	0	1	35
	Total	38	13	6	8	11	5	1	82
Total		85	38	18	10	25	16	3	195

* Chi-square <0.10

A final analysis regarding the nature of the clusters and their relationships to the data available about the cases was done on the relationship between the type of grievance and cluster affiliation. By cross tabulating these two variables, a significant and strong relationship is found.

Table 18: Clustering by type of grievance

	1	2	3	4	5	6	7	Total
Debt	20	27	0	2	6	2	1	58
Discrimination	19	7	1	3	1	6	0	37
Domestic	42	0	0	4	15	6	1	68
Law	0	0	16	0	1	0	1	18
Other	4	4	1	1	2	2	0	14
Total	85	38	18	10	25	16	3	195

* Chi-square <0.05

Cross tabulations show various ways in which cluster membership relates with other case characteristics. What do the clusters and these relationships tell us about the grievance cases that were collected? The next section will dissect the classes produced by the clustering, uncovering some of the broad characteristics shared by cases in the same cluster.

Table 19: Cluster membership - broad characteristics*

	1 (n=85)	2 (n=38)	3 (n=18)	4 (n=10)	5 (n=25)	6 (n=16)	7 (n=3)
Type of Grievance	Domestic (and others)	Debt	Law	Domestic Discrimination	Domestic	Discrimination	
Part 1 (aggrieved)		(Male)	Male		Female; stronger for BC	(Female); All BC females	Female
Part 2	Individual	Institution -all	Government -all	Other -all	Individual; Latina	Female; stronger for BC Non-Latina	Other
Procedural Mode	Lump it; Low avoidance	Negotiation; Avoidance; No coercion	Adjudication; Assume Fault; Low avoidance; Low lumping; No coercion; No negotiation; No talk back	Lumping it; Low negotiation; No coercion; No talk back; No adjudication	Negotiation; Mediation -all; Other; (Assume fault) (Avoidance) No coercion	Avoidance; Talk back; Coercion; No assume fault or adjudication	
Support sought	None			None -all	Family; (Friend) Service Provider -mainly for BC No None	Friend (Family) Other	Service Prov.
Resolution	(None) -WC	Part 1; strong for WC	Part 1; No None		(None)	None –only for WC	No None

*Key to table: Elements with no further commentary are strongly present in a cluster. (Elements in parenthesis are present, but weakly, in the respective cluster).
- notes after a hyphen clarify the relationship, whether that all of the cases that have this characteristic were clustered in the respective cluster, or whether there is a specific category for which the relationship is strong.
Empty cells indicate no clear or strong presence of any specific characteristic.

4.1.3 What do these clusters tell us?

As it was presented above, cluster analysis yielded seven clusters, some with quite strong presence of some case elements, or clear lack of others. This section will try to bring together all the findings from the cluster analysis and the latter cross tabulation analyses in the previous section, in an attempt to unveil some core ways in which Latinos deal with grievances. A summary of these observations is presented in Table 19.

Cluster 3 and cluster 2 present the strongest typologies. Cluster 3 agglomerates the vast majority of grievance situations with the law (16 out of 18), which explains most of the other strong elements present in it: all of the cases are grievances with the government as the second part, and the main procedural mode is adjudication in conjunction with assuming fault. In addition to this, there is a strong correlation with males being the aggrieved party, an observation that had already been noted in the preliminary discussion about the cases gathered and that is therefore confirmed. As it was noted before, most of the cases in this cluster are traffic related, so this correlation can be explained by the lower driving by females found in the population observed.

The second cluster gathered most of the cases on debts, in particular those in which an institution was recognized as causing the grievance. In this situation the preferred procedural modes were negotiation and avoidance, which yielded a strong positive resolution in favor of the party aggrieved, but only for the cases dealt through negotiation. This gave white-collar individuals a stronger likelihood, in this cluster (that is to say, in debt cases involving institutions), of having a resolution favorable for themselves. These are the cases that follow the “simple” case used by Miller and Sarat (1980) presented in chapter 1.1.2 in which a grievance is

perceived, a claim is made, and the situation is solved positively for the aggrieved party. However, only 20% of the total cases in this project are placed in this cluster, compared with the 25% found as resolved this way by the CLRP.

Cluster 5 is strongly populated with domestic cases, so it is not surprising that the parts involved are overall individuals. In this cluster, the broadest array of procedural modes is found as significantly present: negotiation, mediation, assuming fault, avoidance, and other are all strongly in the cluster. This is also the cluster in which most support was sought by the parties aggrieved, with all of them reaching out to at least one source of support when in this cluster. It appears that the cases bundled in this group are of importance for the party aggrieved, as they tend to make use of a broad range of alternatives available to them, both in terms of support sought and actual actions taken to address the grievance. However, no resolution is the prevalent outcome for these cases.

Cluster 6 consists of domestic, discrimination and debt grievances, but with a particularly strong presence of discrimination cases in proportion with the total cases. Similar to cluster 5, in this cluster the aggrieved party tends to make use of a broad range of resources. Avoidance, talking back and coercion are all present in this group, and friends and family were sought for support. The general feel of the type of responses given to these grievances, however, is comparatively more aggressive. No single individual aggrieved assumed fault in this cluster, and this shows even further in preferring avoidance, talking back and coercion over alternatives such as negotiation and mediation, which are less antagonistic. Overall, this cluster brings together the most confrontational alternatives to dealing with grievance.

With a similar composition to cluster 6 in terms of types of grievances it agglomerates, cluster 4 presents a dramatically different picture in terms of the response given to them: most of

the grievances are lumped, some avoided and in only 2 cases out of ten there is a claim in the form of negotiation. In no cases is coercion or talking back used in these groups, which makes it the least confrontational of them all.

Cluster 1 is the most numerous of all the clusters, and shares some of the broad characteristics just described in cluster 4, as lumping it and negotiations are two of its strongest procedural modes. The cases found in this cluster tend to be with an individual, which suggests that in these situations Latinos prefer to ignore the grievance or deal with it on a personal level. Some of the common normative frameworks discussed later in this chapter, such as those in section 4.3.2.1, 4.2.2.2 and in the chapter on support systems, might explain the importance of this cluster: individuals in Latinos' support networks tend to play a key role in their navigation of their life as migrants, and as such particular care is used when dealing with conflicts with these individuals so social relationships can be maintained.

As for cluster 7, it is the smallest with only three cases, and the hardest to interpret in any meaningful way. Although only three, this cluster is quite strong and includes apparently dissimilar cases. What they do seem to share is a complexity in determining their nature: although not part of the information used to cluster these grievances, the additional notes to all of these cases include questions as to whether they should be classified as "domestic," "debt," "discrimination," or simply "other". However, the nature of the problems is varied: one is the case of a female who is abandoned by her spouse at the hospital with a huge bill to pay and with no papers; another is a male who has a traffic incident in which various public goods are damaged (light posts, a mail box) and the reporting party could be in debt of, and the third is the impossibility of buying a house due to a variety of incidents with the potential seller, the bank, the real estate agent and the inspectors in charge of looking at the property, without it being clear

if the motivation is discrimination or the expectation of a high profit. All of these cases are relatively complex when compared with the others, and require the aggrieved party to search for support and find multiple alternatives to deal with the situation.

The clustering and its results suggest that while certain cases seem to produce similar courses of action, particularly issues with the law, there is still a broad array of alternatives sought by Latinos when aggrieved: making claims for grievances, particularly debt related, is a seemingly good option, but it is also one that is apparently more readily available to white-collar migrants (cluster 2). Additionally, the type of grievance and the parties involved can also make an impact on how a situation evolves; overall, there appears to be a general option between confrontational and non-confrontational modes (cluster 6 versus clusters 4, 5 and 1) with the latter being apparently more common.

The following sections will qualitatively approach the experience of Latinos in responding to grievances, uncovering the structural conditions that hinder some alternatives, as well as the hybrid normative structures that contextualize decisions on this issue.

4.2 DISPUTE PROCESSING: OPTIONS RECOGNIZED

Before acting upon a recognized grievance, there is the somewhat invisible stage of assessing the options available and weighing their usefulness given the particular circumstances surrounding the situation. This section will focus on this stage, and the norms that shape it for Latinos in the Pittsburgh area. As in recognizing grievances, which was discussed in section 3.3, Latino migrants also face very specific conditions that shape the types of processing options that they recognize. The first part in this section will look specifically to obstacles faced by Latinos in

recognizing some processing options, such as lack of knowledge about the system or fear. The second part will focus on certain options that Latinos include in their array of possibilities that are less traditionally considered in the literature as ways of dealing with grievances: making use of the personal networks, lessening the feeling of grief even when it might not include dealing with the source of the grievance as such, and creating preventive measures for future situations.

4.2.1 Obstacles to recognizing some options

Latinos face two main limitations to recognizing as viable options that are relatively available to most others. On the one hand, coming from a different social system with other norms regarding how grievances are dealt with (or not), many Latinos do not have enough understanding of the local system and fail to recognize even what seem straightforward ways of dealing with a grievance. On the other hand, the particular circumstances of some Latinos might stop them from using alternatives that they know exist, but that they fear could produce negative consequences to them.

4.2.1.1 Proficiency: on knowing the ways

One very important source that makes options that are usually readily available regarding disputes unavailable to Latinos is the lack of language competency. Clearly creating difficulties in everyday life, particularly given the small numbers of Latinos in the Greater Pittsburgh area and thus the scarcity of resources in this language, limited English proficiency poses very specific obstacles when it comes to dealing with grievances. In particular, the basic first step

traditionally recognized for dealing with a grievance – making a claim – becomes unavailable when language is a problem.⁶¹

Before learning English, Pablo had to take his car to the mechanic one day. The person working on the car told him that it would take seven work hours to fix the problem, which was the same number suggested in the flat rate estimate. The owner of the shop, however, charged for 17 hours of work.

Pagué, porque no tengo opción, no puedo tener una voz. En aquel entonces mi inglés no era bueno y no podía defenderme por eso. Si yo supiera el inglés en ese tiempo podría decir algo. Es que yo necesitaba el vehículo para mi trabajo. Pero sentí una gran tristeza al saber que me están engañando pero que yo no tenía la capacidad de defender ese derecho mío.

[I paid, because I have no option, I can have no voice. Back then my English was poor and I couldn't defend myself for that reason. If I knew English back then I could've said something. I needed the car for my work. But I felt very sad by knowing that they were tricking me but I didn't have the ability to defend that right of mine.]

In other cases rather than lack of language proficiency what stops Latinos from accepting certain alternatives, such as making a claim, is lack of understanding of the local ways of dealing with a grievance. This was the case of a Mexican woman who was charged \$60 for a movie rental that should've cost \$2. When she told me one day that she had stopped using the service of such rental boxes, I asked her why. She explained to me that one day she was charged for the movies as if she had never returned them, although she had; she knew this because she called the bank to ask about the extra charge on her card. However, as she explained to me, she never made a claim (or even call) the movie rental company: “*Ya me habían cobrado, ya qué. Ya teníamos que pagar*” [They had already charged me, it was too late. We had to pay.]. Her understanding was that a company would never pay attention to a claim, since they always have the upper hand,

⁶¹ Please refer to chapter 3.2, in which this particular expectation was discussed as it relates with the traditional understanding of grievances and the dispute process.

so it was not worth the effort to even call. This is not, however, what all the other cases seem to suggest: out of 22 similar cases dealing with wrongly charges between an institution and a Latino, 18 were solved in favor of the Latino simply by making the claim. A similar picture is offered by the CLRP project, which suggests that more than 25% of all grievances (not just debt related) are solved simply by making a claim on it. For this Mexican woman, however, reality was still very much defined by her own experience in her native Mexico, where she said a claim like this was absolutely useless. The normative system that she was using was still very much the one she had brought in from her native country.

This problem of lacking full competency of the local system becomes even stronger when some of the processing options are more “official,” and involve knowing the specific legal norms and regulations regarding a specific issue. In general, Latinos learn about these alternatives from people in their support networks that instruct them, thus making this a process that weighs heavily on the type of acquaintances available to each Latino. Adolfo, who was the only person interviewed who had made a formal claim on a discrimination issue with the American Civil Liberties Union, learned about this alternative through his American in-laws, who walked him through the steps he needed to follow to demand his rights at work. In the case of a Guatemalan woman that faced living in a house without water when the water pump broke and the landlord refused to fix it, she learned about the option to call the city authorities to force the landlord to action several days into the situation. When she asked the neighbor for water to fill some buckets and explained to him what was happening, a man visiting the neighbor explained to her that with children living in the property she could make a claim with the city and they could force the landlord to fix the pump. This is what she did, and in less than two days the problem was solved.

For this woman, as well as for Adolfo, the option to use official resources to deal with their grievances was not an available alternative until somebody else presented it as such for them. The lack of legal competency acted in this way as a barrier to recognize a full array of grievance processing options, in the same way that lack of language proficiency stopped other Latinos from embracing some other alternatives. In general, Latinos as they arrive start building their set of knowledge and abilities in the new social context in which they are placed, whether it is by learning a new language or learning about new ways of doing things. The normative composition that results from this is what Latinos will have available as grievances occur. What is accessible or not for a specific individual at the time of a grievance will depend on their own position in this process, what they brought with them from their native country and what they are able to assess from the new place and its customs.

4.2.1.2 Fear

For some Latinos, however, even knowing the system is not enough, as other factors stop them from using alternatives that they might know exist. In particular, fear is a common reason that many Latinos use to explain their disregard for certain alternatives for processing grievances. A relatively common type of case in which fear is a major factor is that of problems on immigration issues that Latinos have with attorneys, which was discussed in section 3.1.1.3. In the pool of cases collected two cases were of this type, but the story that they tell is one that I heard numerous times in the form of second-hand experience (“I know someone who...”). When Latinos attempt to formalize their stay in the United States, a situation particularly common for undocumented Latinos but also true for visa holders that want to become permanent rather than temporary residents, they find themselves in a particularly vulnerable situation: they are forced to recognize a potentially endangering situation (in the case of undocumented Latinos), a strong

desire, and place trust (and money) in whomever claims that can help them. In many cases, however, attorneys instead of helping them out with the situation exploit it, charging them money for services that cannot be fulfilled. When this happens, when Latinos come to an attorney asking for a way to legalize their situation due to having been “well behaved” for a long time and the attorney agrees to take the case and charge for the service, the undocumented person is left with virtually no recourse to claim the money once they realize it is a scam. In a case that became a collective action against an attorney that had scammed over 400 people in this way, one of the men explained to me why he decided not to participate in the lawsuit: “*No me quise meter, mucho pleito y pleito. Más bien lo que dice la abogada dejar así como está, de pronto me llega una carta para deportar*” [I didn’t want to get involved, too much conflict. As the attorney suggests, I’d rather leave it as it is, maybe I receive a letter to deport me.]

In other cases, although there is knowledge of certain courses of action that are available, they are regarded as too risky. This is a reasoning that I heard commonly against involving the police or the court system in domestic disputes. When domestic issues arise, the possibility of calling the police or filing a Protection From Abuse order is usually ignored due to multiple fears surrounding what could potentially happen. Some women told me that they wish their domestic situation were different, but that does not mean that they want to see their partner deported or their children left without a father. The fear of deportation, and in some cases of losing the children, weigh heavily against opting for these alternatives, or even considering them seriously as such.

4.2.2 Creating new alternatives

Literature on alternatives to formal options for dealing with disputes in marginal communities tend to emphasize possibilities that are available through “traditional” but peripheral ways of dealing with conflict (Nader and Todd 1978). In the case of Latinos, however, this approach is not useful. It is naïve to expect finding these types of “traditional” mechanisms in a community that is not necessarily coherent or homogeneous. Instead, alternatives are pretty much created on an almost one on one basis, or at least in a fashion that is very much dependent on the individual and the specific circumstances of the grievance. Given the particular circumstances in which they are immersed, many Latinos opt to deal with their grievances in ways that do not necessarily involve making a claim over their grievance. Three ways in which some Latinos achieve this is by working on stop feeling aggrieved (as an alternative to demanding redress from whatever causes the grievance), use networks as an alternative, or create preventive measures against future grievances.

4.2.2.1 Dealing with grief, not with the grievance

It has been argued above that as Latinos feel aggrieved, in many cases they fail to recognize the situation as a grievance (Chapter 3.3), or find it hard to make a claim on that grievance (Chapter 4.2.1). This makes the traditional model of the grievance that leads to a claim that leads to dispute fall somewhat short to these realities. While usually failing to make a claim has been understood as “lumping it”, this section will look at alternatives to making a claim that Latinos recognize when feeling aggrieved, which are not necessarily the fully passive option of “lumping” the grievance.

One way in which Latinos deal with feeling aggrieved about a situation is by reframing that situation under a set of norms where the grievance ceases to exist as such. In these situations Latinos are not merely “lumping it” (although this is certainly part of what they do): they are actively making use of norms of behavior that explain the situation as adequate and fair, which takes off the weight of unfairness that grievances carry. The best illustration of this can be found on a norm that I heard multiple times⁶² as people explained to me why they had not made a claim over a debt: “*como decía mi mamá, las cosas no son del dueño sino del que las necesita*” [as my mother used to say, things are not from their owner, but from whomever needs them most]. Rather than interpreting the situation as one in which something that was lent was never returned, it is reframed as an act of sharing and generosity in which that which was not returned is seen as better suiting the person who kept it. In the surface, the actions remain unchanged – no claim was made – but for the person aggrieved the situation shifts away from a grievance into normality.

In other cases, Latinos tackle directly what makes a situation aggrieving without necessarily dealing with the grievance itself. I faced this situation mostly when I asked Latinos what they did when an employer didn’t pay them on time, or paid them less than expected. In many cases rather than telling me what they did *in relation with the employer*, they told me what they did *in relation with the lack of money*. In these cases, again, what Latinos did in face of the grievance was to “lump it.” However, this did not mean that they remained totally passive in the situation. Given the obstacles that many face to making a direct claim (lacking the economic resources, fear of being fired, or even worse being outed as undocumented), rather than tackling the grievance understood as “debt” they tackle the grievance of not having money: they ask for

⁶² In the grievance cases database it appears explicitly in three cases, and it was further heard in other instances during fieldwork.

loans from friends (and in some cases even from the employer!) in order to be able to sustain themselves until full payment is actually received. The grievance remains, but the main source of grief (not having enough money) is solved.

Whether by reframing the grievance situation under a set of norms valid in their cultures of origin, as was the case of lumping a case because the things are those who need them most, or by ignoring the grievance but acting upon the grief, as is the case of the late salaries, Latinos are able to remain active even under the appearance of passivity. Processing the grief, rather than a dispute, allows Latinos to retain some control over their situation, and to build a structure (using both the normative systems they brought with them as was the first case and the resources that they have access to as immigrants, as in the second case) in which they can still have options when aggrieved, even if they are not the traditional or official ones.

4.2.2.2 Networks at work

One particular alternative that Latinos find available for dealing with their grievances is that of actively using their networks to restore the aggrieving situation. In this case individuals are not necessarily lumping the situation (as was the case in the examples of the previous section), but rather finding alternative ways in which the grievance can be redressed.

When Patricio, a white-collar migrant, was faced with the problem of not being paid back money he lent to a friend, his initial reaction was to just let go of the money, give up on the friendship, and understand it as a misevaluation of the friendship he had. Because the lending of the money had been an open situation in the network of friends they shared, the issue of whether Patricio had been repaid or not came back repeatedly in regular social conversation, particularly when the friend spent large amounts of money in a new car, or traveling. Common friends of both parties involved took it upon themselves to exert pressure on the owing party, asking him

why he was spending all that money if he had not yet repaid his debt. Although the relationship with Patricio had already been damaged beyond repair, and under the pressure of further damaging all his other relationships, the former friend one day just came to Patricio's house and paid all the money back.

While in Patricio's case the involvement of the common networks was not necessarily prompted by Patricio, the power of these circles of acquaintances is readily recognized as a way of publicly dealing with a grievance, particularly when claims fail to solve the issue. The most recognizable shape that this involvement takes is that of gossip, which was also one of the main things about the community that Latinos complained about (although some also added that unfortunately gossip is not exclusive of the Latino community, and can also be found in the local American culture). As it was described to me, gossip is recognized – at least partially – as a resource that is sometimes used to deal with a grievance. Although everybody who I talked with explicitly rejected gossip as an acceptable alternative, they also acknowledged that it was quite present in the community. This apparent contradiction (the prevalence of gossip and the concurrent explicit non-acceptance of it) can also be found in the literature around this social experience. On the one hand, it has been suggested that gossip has the power of negotiating a collective's values and norms and, as a result, can foster harmony in the long run (Gluckman 1963; Colson 1974); this theory would explain the prevalence of gossip and its ongoing status. At the same time, critics of this idea have suggested that gossip is not necessarily factual nor egalitarian and, when not, can be very detrimental to individuals and can become competitive and hostile (Paine 1967), in which cases its rejection is understandable. In the context of the Latino community of Pittsburgh, an explanation of the motives of gossip as dispute processing mechanism, along with its rejection, was given by Juan:

Aquí lo que a veces me ha molestado es así de gente que trata como de meter en problemas a unos con otros, ¿no? Porque ha habido gente que inventa cosas, o que trata de hacer otras que no... que, o sea, si tú tienes algún problema con alguien pues es problema tuyo con esa persona, tienes que arreglarlo pero no tratar de hacerlo más grande o tratar que otras personas salgan mal con esa persona solamente porque tú no te entiendes con ella (...). Es tu problema. Arréglalo.

[Here what sometimes has bothered me is people who try to put others in problems, one against the other, right? Because there has been people who make up things, or tries to do others that don't... I mean, if you have a problem with someone else it is your problem with that person, you have to fix it but not try to make it bigger or try to involve other people and set them against that other person simply because you have a problem with them (...). It is your problem. Solve it.]

Gossip hence acts as a way of using the common networks, or rather the image of the parties involved held in those public networks, as a way of exerting pressure on someone to act, or cease to act, in a certain way. In the case of Juan, he had an ongoing tension with a woman that had been his sister-in-law. While she had been in a relationship with Juan's brother the woman constantly hit the brother when asking him to stop drinking. In response, Juan talked with her multiple times telling her that if she didn't stop hitting the brother he would one day get tired and eventually leave her. When this happened, when the brother left, the woman blamed Juan for the termination of her relationship. As an attempt of working her way back to her husband, this woman is now constantly talking with Juan's brother and their acquaintances about Juan, creating a series of problems for him.

Because gossip is considered as an unacceptable (although effective) way of dealing with a grievance, being accused of gossiping can be in itself a cause for grievance. In one case in which shared networks tried to have a woman take back a public assertion she had made against another person, that woman defended herself by accusing the other party of spreading gossip in the effort to send over those common friends to exert pressure. This particular use of networks, therefore, appears as an available but somewhat risky option to solving disputes. While social pressure appears to be a quite effective way of achieving a certain behavior from an aggrieved

party, it is also a risky one: using common acquaintances in this way can be interpreted as spreading gossip, a highly rejected action in itself.

4.2.2.3 Being aggrieved, learning, preventing future grievances

As it was already developed in chapter 3.3.1, Latinos tend to be constantly in the process of learning about the new culture and system in which they are immersed. And while many grievances are interpreted as being the result of personal fault due to lack of proper knowledge about the system, these are processed as “lessons learned.” By recapitulating the new norms and standards that have been unveiled due to an aggrieving situation and incorporated into the personal normative system, Latinos not only passively assume the fault on what happened, but also actively start a process of preventing future similar instances. As it was explained earlier, lessons such as setting prices to as much detail as possible, or checking by oneself all the details of any given transaction are then used, allowing an active role in a situation that could otherwise be interpreted as purely oppressive on Latinos as “outsiders.”

This preventive feature can also be used in individual cases, rather than in broader structural understandings of the system. When people face a grievance with an individual with whom there is an ongoing relationship, an alternative to simply lumping the grievance or making the conflict open is to devise ways to prevent future grievances from occurring. This is not surprising, given the great importance that acquaintances have in helping Latino migrants in their lives outside from their country of birth. This is particularly common in domestic disputes, where the parties learn what is most aggrieving for their spouse in a given situation and hence decide to continue doing what they desire (for example, work out of the house), but without creating as much conflict (but coming back home by the time the spouse is there). In some cases, the

creation of an adequate plan of action is a quite creative enterprise that might involve multiple people devising a plan.

When life with a neighbor started to spin out of control as the woman took things from the basement without permission, or parked in front of the driveway even when a car was parked in it, the Rozo family felt out of alternatives. In response to this, they decided to ease their last months in that place (they decided to move just because of this problem, but had to wait for the lease to end) by devising ways of preventing the neighbor from aggrieving them again. As a result, they locked all the things they used to have in the basement (although it entailed running out of storage space) and stopped parking the car in the driveway, but rather in front of it in the street. This, then, is yet another option available to those aggrieved: actively engage in preventing future grievances from occurring.

4.3 DISPUTE PROCESSING: ACTING

The previous section explored the resources that Latinos consider available to them to deal with a recognized grievance. This section will look into the actual decisions that they make in response to the grievance, particularly at the motivations and norms that shape those decisions. First, a section will look with some detail into the obstacles that are sometimes faced by Latinos that prevent them from *taking* some specific actions (rather than recognizing them, which was discussed in the previous section). A second section will explore some of the values and norms that were commonly elicited to explain certain actions or inactions in face of a grievance. A third part will focus on how networks are used as a way of processing a grievance, a topic that has

already been introduced. Finally, this section will end with the specific case of the collectivization of certain grievances, as it has been played out in the Greater Pittsburgh area.

In this chapter, an idea that will be used with some intensity is that of collectivism, as a concept that helps describe many decisions by Latinos that could more clearly be regarded as “Latino” (in opposition to being influenced by any Anglo-American contact that migrants might face in their life in the Pittsburgh area). Collectivism is regarded as a worldview (originally opposed to individualism but lately understood as an independent from it) according to which “groups bind and mutually obligate individuals” (Oyserman, Coon et al. 2002:5). Because collectivism emphasizes the concern over others and relationships, some scholars have suggested that individuals who are particularly collectivistic tend to prefer courses of action that promote group harmony (Gabrielidis, Stephan et al. 1997). Although Latinos as a group cannot be simplistically thought of as an archetypical collectivist group (not only because they can hardly be regarded as an homogeneous group, but also because even if they were they do not clearly possess, as a group, some of the characteristics usually related with this worldview: communal society, diffuse obligations, ascribed statuses), Latin American countries in general have been deemed as more collectivistic than the United States (Gabrielidis, Stephan et al. 1997). As a result, Latinos are also commonly and broadly thought of as “more collectivistic” than European Americans. As the latter sections of this chapter will illustrate, some of the behaviors of Latinos in the face of grievances do suggest at least some level of collectivist influence. This will be particularly discussed as it relates to some of the norms and values that Latinos claim as structuring their decisions, as well as some of the options that Latinos, as individuals and as a community, have used to process their grievances.

4.3.1 Obstacles to taking action

As was the case with identifying the options that are available to deal with grievances, even when certain alternatives are recognized there can be obstacles that prevent Latinos from choosing them. These obstacles range from the mundane (like not demanding the repayment of a loan because of being unable to recall who it was with), to more complex situations (like the acute emotional distress created by a grievance impeding normal everyday behavior, including dealing with the grievance itself).

Most of the more complex situations that impede Latinos to act in certain ways in the face of grievances are closely linked with structural aspects of their situation as migrants. For Juan, being mistreated by the police – even when being a legal permanent resident in the country – became a deeply distressing situation that sunk him in a circle of impotence and frustration that impeded his any reaction to the situation. This was then coupled with the feelings of regret for not having gone to court to defend his rights. In the case of Pablo, a work related accident left him without the possibility to work and in an even more precarious situation than the one he already had as an undocumented alien with virtually no acquaintances. This then led him into a depression that made him avoid any social interaction, particularly with anybody he believed was responsible for his predicament. This inaction was further fueled, in his case, by fear of his own undocumented status and the vulnerability of his own situation: “*Me dio miedo, que no soy legal, que no hablo inglés. (...) El problema fue que tuve el accidente y luego otro problema más... para que quería otro problema. Sentía que todo el mundo me estaba cagando, cagando ¿y qué? ¿Mis derechos qué? Estaba como muy deprimido.*” [I was afraid, that I’m not legal, that I don’t speak English (...). The problem was that I had the accident, then another problem... why would I want other problem. I felt the whole world was messing me up, messing me up, and what?

What about my rights? I was kind of depressed]. For this man the anxiety produced by the very thought of acting in any way in response to the grievance, and the risks he felt were engrained with that possibility, hindered him from doing anything but remaining in absolute inaction.

In other cases, the structural obstacles are more subtle, but become clear when experiences are compared. The clearest difference can be seen between the economic resources available to white-collar migrants and blue-collar migrants. Most Latinos who were in a relationship reported some degree of grievances with respect to household duties and the responsibilities related to them. Not surprisingly, however, the resources that they had to face these disagreements were quite different. For a blue-collar undocumented woman, the lack of money was a constant struggle, particularly since the birth of her special-needs child which prevented her from going back to work after the birth, as she had originally planned. This woman was forced to stay as a stay at home mother, a role that she didn't feel comfortable filling, taking care all the time of the household. This triggered a series of domestic grievances with her partner: resentment over how household duties were not balanced, economic strain, the husband being forced to take two jobs (and stay away from home for longer periods of time), overdependence on the woman's family who also lived in the region, sometimes violent discussions on how to spend the little money that was available and, later on, her husband's alcoholism. On the other hand, a white-collar man with children married to a working wife who also reported marital problems over this issue of household responsibilities was able to resolve them after a few scattered discussions by hiring "external help" to cover what neither of them could do in the household. In his case, this was a minor problem that was easily solved thanks to the availability of economic resources. This course of action, of course, was unattainable for the other woman.

4.3.2 Norms and values: weighing in what to do

In the previous section on the alternative options that Latinos recognize as available to them for dealing with grievances, I discussed how using norms brought from home countries helped Latinos stop feeling aggrieved about situations that would otherwise be perceived as grievances. The example offered for this was the use of the premise that “things are from whomever needs them”⁶³ as a rule that supports lumping a grievance in a way that also helps diminish the feeling of grief from not being paid back (chapter 4.2.2.1). In this case, the said rule or premise was used as the rationale for determining what to do in face of the grievance, in this case to lump it. This section will look at other norms or values that are commonly recognized as explaining the actions Latinos take in face of a grievance. These will help explain at least partially some of the groups that the clustering analysis presented above yielded; it will also exhibit the ways in which ideas and values from the home country and previous experiences are brought together with the new reality that Latinos, shaping a hybrid system for contextualizing the processing of grievances.

4.3.2.1 Navigating society... solving a problem without creating more

It has been already discussed how for many Latinos the social circles in the Greater Pittsburgh area are quite reduced. As section 4.4 will discuss, these social circles are also very important for Latinos in their navigation of the American society as migrants. Both of these circumstances add considerable complexity to grievances in which those networks are in any way involved. Even in cases in which Latinos actively consider various options for dealing with a particular grievance,

⁶³ This norm could be deemed as collectivistic in its nature, as private property is disregarded in favor of a more communal understanding of property.

finding the less harmful choice is a necessary consideration. Many of the cases that have already been discussed fall in this category: considering not claiming an unfair treatment by the employer to avoid conflict with coworkers, and in a way all of the situations under the principle that things are from those who needs them. Many others in which the reasoning starts with “why create problems, just for...” also fall under this category. As it was already presented above, this approach to problems is usually linked with collectivistic worldviews, where intra-group harmony building (or maintenance) has an intrinsic value. This norm certainly helps explain the high number of cases that fall within the first cluster in the analysis presented in section 4.1 (see Table 19), a cluster that is characterized by preferred inaction (or minimally confrontational action) in cases in which the identified aggrieving party is an individual, usually from the Latino’s social network.

When Ingrid needed to paint her house, she used the services of a good friend’s husband. However, when the man charged her she considered that he had not held up to his word. Even more, when her husband accepted to pay, she was furious with him. Afterwards, even though she talked with the painter, “*como hay amistad de por medio y la esposa es amiga, entonces para no echar a perder eso entonces me calle la boca y no dije nada; si no hubiera sido amigo, le habría dicho que devolviera [el dinero]*” [because there is friendship and the wife is my friend, in order to maintain that I shut up my mouth and said nothing; if he hadn’t been my friend, I would’ve asked for the money back].

This same woman, when facing a problem with her American landlord (who she also referred to as a “friend,” but didn’t have the social importance for her as the one in the previous case), easily opted for avoidance as a way out of the situation. When the landlord insisted on keeping her deposit while she believed she was returning the apartment in even better condition

than received, she reasoned: “*había dejado perfecto todo, y eso me puso de la nuca porque nos hicimos amigos y dijimos nunca más, chao. Me quejé me quejé, hasta que me aburrí*” [I had left everything in perfect condition, and that made me very upset because we had become friends and we said, never again, bye. I complained, and complained, until I got bored]. In this situation, Ingrid didn’t foresee any further consequences from breaking the relationship, other than the difficult moment. In the previous case, however, sharing so many more circles with the other party by both being Latinos and involved in her community, she preferred to let it go.

When important social networks are in one way or another affected by the outcomes of a particular grievance, it is of the utmost importance for Latinos to take that into account. An assessment of the potential risks of an escalation of conflict is usually considered when this is the case, as occurs many times when family, coworkers, or close-knit circles of friends are involved. When María’s son was born, her mother-in-law traveled from her home country to live with the family and help them with the newborn. Things, however, were not easy, and everyday life mounted with small and big grievances.

Fue muy difícil convivir con ella. (...) Ella ya es muy vieja, yo soy una cagón impaciente. La paciencia de esa señora... (...) Ella se vino con pasaje abierto y eso no se lo pude perdonar a [mi esposo]. (...) Yo llamé a mi mamá llorando y le dije, sácame de acá. Y [mi suegra] se quedó acá con [mi esposo]. Nunca le dije vete, ni le hice mal ambiente. Cómo, si [estaba haciendo favor].

[It was very difficult to live with her. She is very old, and I am immature and impatient. That woman’s patience... She came with an open ticket and I couldn’t forgive my husband for that. I called my mom crying and said to her, take me out of here. And my mother-in-law stayed with my husband. I never said to her go, or gave her a hard time. How, if she was doing us a favor.]

For María, leaving the country was a way of moving away of the mounting grievances without creating further stress on an already difficult relationship, not only between her and her mother-in-law, but also between her and her husband. María wanted to avoid the social risks of asking her mother-in-law to move out of her house, so she moved out instead, an action that

could be interpreted in a non-confrontational light. In the end, María did not want to cut ties with her mother-in-law; in this sense her reaction was not that of avoidance, but rather one of strategically opening the door for distance and as a result the end of the conflictive situation. She left as a way of saving the relationship.⁶⁴ By the time María returned to her husband her mother-in-law had already acquired a return ticket, and the emotional buildup of multiple grievances had been controlled.

In multiple cases, from Latinos of quite different backgrounds, this interest in dealing with a grievance in such a way that no more conflict was created was uttered in the form of a personal rule: something along the lines of “I am not one to create problems.” Interestingly enough, all of them felt the need to specify that this should not be interpreted as a cultural Latino trait, but rather as a personal one.⁶⁵ Seven out of twenty Latinos interviewed actually used pretty much this same wording to explain their rationale for acting in a particular way in face of a grievance (usually, by lumping it). These are some examples of the specific ways in which this was explained to me:

- When I asked a white-collar Argentinian woman why she didn’t sue after a clear case of medical malpractice, she explained to me: “*Porque soy así, soy muy gruñona pero a la hora de los hechos no, porque no soy de hacer problemas.*” [Because that’s how I am, I am very grumpy but when things happen I don’t do anything, because I am not one to create trouble].
- A white-collar Colombian explained to me in reference to some cases of discrimination that she had perceived: “*A veces me gustaría [hablar con esas*

⁶⁴ María’s case is also an example of the broader array of alternatives present to white-collar Latinos due to their higher mobility due to economic factors and legal status, and as such of the structural differences within the Latino community (see section 4.3.1).

⁶⁵ Literature on Latinos’ collectivism, of course, would differ with this perspective.

personas] pero no lo hago. Yo evito pues confrontaciones. Es mi personalidad, no creo que tenga nada que ver pues con los latinos.” [Sometimes I would like to talk with those people, but I don’t do it. I avoid confrontation. It’s my personality, I don’t think it has anything to do with Latinos].

- The spouse of an American explained to me how she handled her grievances in general by saying: “*No sé si es mi personalidad, siempre trato de mantener todo calmado*” [I don’t know if it’s my personality, I always try to keep everything calm].
- A blue-collar undocumented worker used the following phrase to explain all of his actions and inactions in relation to grievances, explaining to me that it meant to keep life simple by avoiding conflict: “*Porque me gusta hacer la vida fácil*” [Because I like to make life simple].
- A similar phrasing was offered by another undocumented woman, who explained her decision to avoid a person altogether like this: “*No me gusta armar problemas, prefiero dejarlo por la paz*” [I’m not one to create trouble, I prefer to leave it through peace].

Although almost all of the Latinos who claimed this value referred to it as a personal characteristic, it does align with literature that identifies Latinos as being, compared to European Americans, more collectivist in nature (Gabrielidis, Stephan et al. 1997; Oyserman, Coon et al. 2002). As it was already discussed above, it also has some explanatory power of the numerical importance of the first cluster from the cluster analysis. Personal trait or cultural norm, the value of avoiding conflict even at a high cost is clearly stated in all these cases and was widely found in the grievance cases collected. Navigating society in a way such that conflict is not increased is

without a doubt a common motive that Latinos use to determine how to deal with their personal grievances. This motivation becomes particularly important when long term relationships can be affected, although is not exclusively used when that is the case.

4.3.2.2 Independence... or not?

One day, when two Mexican couples with children and I were talking together, the conversation switched to life in the United States, its ups and downs. In this conversation, independence appeared as an issue two times. The first one was as we were considering the possibility of moving back to our home countries, and what would be the hardest if indeed we did. Immediately, all of them talked about independence, understood as the possibility of choosing how they lived – particularly in the smaller things – as something they would miss if they returned. Clothing was, in that conversation, the example of choice. The women in the group explained how when they lived back in their village, appropriate clothing was very restricted: long skirts, long sleeves, no skin. When they first came to Pittsburgh, that's what was in their wardrobes. But as time passed, they started to negotiate it to the new local standards. Both couples actually told me that the men had helped the women move forward in changing their clothing styles, a process that usually started with the women asking the men if a skirt was too high, if short pants were adequate for wearing, if tank tops were appropriate. Both men had supported these changes, and both couples appreciated having made these decisions by themselves. This is what they understood as the advantages of the freedom that came with being independent.

This conversation about the clothes then brought us to the second instance in which independence was mentioned that day: it quickly became clear that the experience of living in Pittsburgh had been different for the men and the women. In particular, women expressed more

difficulty in adjusting to some of the new demands they were facing as immigrants, while at the same time were the ones who embraced them stronger. As we were talking about their perception that in the Latino community men tended to learn English faster than women, a discussion ensued as to what the reason was for this. Their conclusion that day was that men had been raised to be more independent, to not ask for help. In the context of a different country, this had forced them to actually talk even if they didn't master the language. Women, on the other hand, expressed that they were learning to be independent, as it did not come natural to them from their upbringing. To all of them, the experience of migrating north and living very much alone was a process into independence. While this independence many times was experienced as loneliness, they appreciated the possibilities it opened on setting a distance from expectations and norms (such as the clothing rules mentioned above) and creating their own spaces.⁶⁶

Independence, as this conversation illustrates, had become a cherished value that was used multiple times when explaining the motivations in dealing with grievances. In a way, it appears as an alternative value that becomes available as a result of life as immigrants (and that sometimes, but not always, conflicts with other more collectivistic approaches found in the home countries). Independence appeared as a particularly important value in determining whether help was to be sought when aggrieved, but also in adopting certain courses of action over others when feeling aggrieved.

It is usually the case that independence as a value is most prominent when Latinos feel that acting in certain ways could be interpreted as over-relying in someone else for their success in this new country. Some of the more straightforward cases where this value is declared is when

⁶⁶ Nuijten recognized a similar situation on gender norms in her own study with Mexican migrants, particularly as it referred to the dress code (Nuijten 2005). With the present study taking place in the United States, it is not surprising to find that the prevalent norms for both men and women were the American ones; Nuijten's study suggests that this might change dramatically if and when reverse migration occurs.

Latinos refuse to make a claim that they think could be perceived as undermining their image as self-reliant. In two cases in which Latinos were injured while at work, they refused to make a claim on their employer's insurance: although they had this right and various people suggested to them to actually make use of it, both individuals argued that they preferred to work and remain independent: "*yo prefiero trabajar a no estar dependiendo de nadie*" [I'd rather work than to be depending on someone]. This interpretation of independence, however, was only found on Latinos who were, or had been, undocumented. Their narratives were not only a response to a particular grievance, but they were built in the context of a broader structure that accused them of abusing a system: refusing claiming a right because of their belief of their own independence is therefore a self-affirmation that reclaims their right to their work and to their income. It is a response that answers to structural grievances of rejection in their same terms by embracing the most extreme interpretations of what it means to be in America in the conservative views of "personal responsibility" and "self-reliance."

Independence or harmony? Juan Pablo's case

Juan Pablo, whose story was mentioned in chapter 3.3, faced multiple grievances being rejected by his American partner's family. For the most part, he was accused of being with his partner, and mother of his child, only to legalize his migratory situation. Given the nature of these accusations, it was of key importance for Juan Pablo to emphasize through his actions his independence, and his intention to remain this way. This was of course evident in his decision to not marry and remain undocumented for many years. At the same time, however, Juan Pablo lived with his partner and child, so could not simply move away from the source of his grievances (his in-laws). He wanted to remain with his family, but it was important for him to do so in a way that did not endanger his image as an independent, self-reliant man. In his efforts to

find a way of changing his undocumented status without using his partner's citizenship, Juan Pablo tried to file by himself for legal documents with the help of an attorney. After two years of waiting on this "process" he learned that a friend of his, who was also applying for a change of status, had received months ago "the torch" (an official document stating that a process had been opened). When Juan Pablo could not get his attorney to give him any such documentation, or any other proof that there actually existed a process in his name, he gave up on the money and went by himself to the immigration offices in downtown Pittsburgh. According to his own account, the women who worked there could not believe their ears. When they asked him his status, he simply told them he was undocumented. When they asked him how he planned to apply for his papers, he answered "I don't know, you tell me." They finally asked Juan Pablo why he wanted to stay in the United States, and then he told them about his child, with whom he lived. It was then and there that they told him that his only option, given his circumstances, was to marry his partner. They also told him

pues no te podemos agarrar porque tienes la niña, pero no te vuelvas a poner a parar aquí sin tener cita porque si no te vas derecho a tu país. Ya me dieron un número donde podía llamar y pedir información. Ya [mi esposa] también dijo como te fuiste a parar ahí. Ahí el suegro dijo que pues ya llevaban tiempo casados, que ya se veía que no se iba a ir, que pues le diera.

[well, we cannot hold you because you have the child, but don't come here again without an appointment because you will go directly back to your country. Then they gave me a number where I could call and ask for information. My wife also said how did you go and stand there. Then the father-in-law said that well, we had been together for a long time, that it was clear that he was not going anywhere, that they should go ahead.]

It was only then, after the in-laws tracked back in their accusations about his intentions, that Juan Pablo went ahead and got married. His assertions of independence, however, were not restricted to the way he managed this core cause of his domestic grievances: in general, when Juan Pablo's in-laws acted in a way that affected this image of his own self, Juan Pablo usually

responded vocally against their aggressions. The major clash occurred when Juan Pablo's mother-in-law tried to stop him from taking his own child after a soccer game in the park. The woman was saying that she wouldn't allow Juan Pablo to stay by himself with the child unless the mother was also present, arguing that he would hurt her or kidnap her. After Juan Pablo took the child by force from his mother-in-law, he talked with his wife and told her that a choice needed to be made: either she stood squarely behind him or she went to her parents, in which case all he demanded was to be able to see his child. As it happened, the wife stood by his side and demanded from his parents to stop harassing her husband or she would withdraw the child from them. For many months when his wife visited her parents Juan Pablo would wait outside their house, until one day he was invited in. As with the marriage, it was important for Juan Pablo to make a clear stance about who he was, even if it meant talking back or coercing his family.

In the cluster analysis presented in chapter 4.1, Juan Pablo's case was grouped in cluster six (refer to Table 19): it is a complex case, in which the relationship at stake is hard to simply evade, but in which much is at stake. Understanding some of Juan Pablo's motivations, in particular the specific pressures shared with many other undocumented migrants that lead them to incorporate to an extreme the values of independence and self-reliance, sheds some light on why blue-collar migrants are strongly represented in this group, particularly in problems with Americans. Talking back, or refusing to assume fault, are important elements in this rationale.

Although also referred to as an important value, Latinos with legal documents of some sort tended to interpret independence in a quite different way. For them, independence is more about being able to make full use of the resources that they have available, while not depending on any person or institution to the extent that it could sway their decisions. For instance, many of

the cases in cluster two (see Table 19) where avoidance was elected as response to grievances (primarily about debt and with institutions), were supported in some way by the idea of independence: that even being aggrieved there is the option to act freely, whether it be leaving the relationship and thus being independent from it, or negotiating until something is achieved, thus signaling independence and success in navigating the system and / or culture. When the spouse of a researcher was charged for a third time an overdraft fee, she expressed her frustration with what she perceived was the overwhelming power of the bank in the relationship. Therefore, she closed her account: “*Era culpa de ellos, pero me dijeron que no perdonaban el sobregiro, que así funcionaba el sistema bancario, y entonces yo les dije que renunciaba al sistema bancario*” [It was their fault, but they said that they wouldn’t take away the overdraft fee, that that’s how the banking system worked, so I told them that I renounced the banking system.]. This same pride is repeated numerous times as a way of supporting either avoidance as an alternative (as in the overdraft situation), or when negotiation becomes long and complex but the grievance is finally resolved. The satisfaction that this produces can be further understood once one recognizes that the same cluster of which these are prototypical (cluster two), is also the one that offers the most favorable resolution in favor of white-collar Latinos, the ones who prefer this interpretation of independence.

However, independence as a value understood in this sense, is not absolute. For some Latinos, particularly those with more difficulties navigating the system due to cultural or language barriers, the use of intermediaries (in the form of service providers or volunteer workers) becomes the natural way of acting. In my work as volunteer with various organizations, it was common to see some of the same people over and over again to resolve issues that had already been explained to them in the past: calling a welfare agency that had a Spanish line to

make a claim, or sometimes just asking for a doctor's appointment, even when the offices had Spanish services. The complexity of the usage of this term – independence – is embodied by Lupita, one of the individuals who refused to make a claim over her employer's insurance after a work accident. Lupita is by far the Latina that I met that most used all the services and resources for processing grievances in the area: she had used shelters, attorneys, the court system, the local housing authority, and local health authorities. She had broad experience in aspects of the local legal system that other Latinos didn't even know existed. At the same time, she was heavily dependent on many service providers. In a way, Lupita herself embodies all the different interpretations that can be given to the value of independence and self-reliance: she was proud of her work and of continuing with work even after an injury. At the same time, she thought that her use of service providers, even her dependence on them, was a sign of her self-reliance. Which, in her case, was quite true: Lupita arrived to the United States following an extremely abusive husband. In the United States she was taught, by another abused woman in her church, that she had resources in this country to escape her husband. Lupita followed her friend's advice after her husband tried to kill her for a second time. Using the local services is, for her, a way of asserting and claiming her independence and self-reliance; and making use of all the rights that this country provides her – even if it is always done through intermediaries due in part to her lack of English proficiency– is something that she proudly recognizes as proof of her success.

4.3.2.3 Intention

When assessing a grievance and determining what needs to be done in response, a very important consideration present is that of intention: was the purpose to break a norm or to harm? If the answer to this question is no, Latinos are often times willing to lump a grievance. This happens, for example, with small loans that might be in good faith forgotten. On the other hand, when

intention is perceived to be injurious, the response changes dramatically. This distinction is particularly clear when comparing the responses given to discrimination cases (a topic already discussed in chapter 3.2.2): in the clustering analysis, most of the discrimination cases that were interpreted by those aggrieved as clearly intentional, as looking for the creation of harm, were clustered together in the sixth cluster, the most antagonistic of them all. Juan Pablo's case with his in-laws, for instance, is in this group. However, none of the more subtle cases of discrimination, such as feeling treated differently in a shop, are found here; all of those were clustered in the first group.

Interestingly enough, the few discrimination cases in cluster four (one that was considered particularly passive and non-confrontational) were all interpreted as being with particular wrongful intention. However, these are all cases that happened to Latinos early on in their stay and the reason for not doing anything and just lumping it was the feeling of impotence, of not knowing if anything could be done at all, which fits with the issue of lack of proficiency with the American ways mentioned in section 4.2.1.1. So although seemingly the same response, discrimination cases that were lumped in cluster four had a different emotional impact for those aggrieved than discrimination cases lumped in cluster one. In the former case, lumping the situation was the result of feeling marginalized and further oppressed by the grievance; in the latter, lumping the case was a response to interpreting the context in a more positive light, under the understanding that intention is not certain and that there are potentially other ways of construing the situation than solely as a grievance.

Not only in discrimination cases is intention a relevant factor: in domestic disputes this is also a very important consideration when determining how to proceed in face of a grievance, and the grouping produced by clustering analysis offers again a good picture of how this varies

between cases. In the fourth cluster, where lumping it and sometimes negotiating are the primary procedural modes, intention tends to be considered as quite benign, and cases are all read as minor disputes. In cluster five, on the other hand, the types of cases found is broader: all are considered more aggrieving than those in the previous cluster, but while in some the intention read was clearly positive (“we were both trying to do our best, but somehow it didn’t seem enough”: Ana Paola’s constant disagreements about when to have a baby fall in this category), in others it was interpreted as fully negative. In those cases, the initial impulse to act in a more confrontational manner was controlled in order to achieve another goal (Dolores’ domestic disputes, in which she refused to leave her husband because she was waiting for her residency process to come through, fall in this group). Finally, domestic cases in the sixth cluster tend to be all particularly violent (with the exception of one), and refer to situations in which one or both parties are considered as having the actual intention to harm the other, even if not necessarily in a physical sense (as was Juan Pablo’s case).

In addition to assessing the intention of an aggrieving party, this thought process is also used by Latinos on themselves. When Julio found out that he had an overdraft fee, he realized that the situation was actually his fault, in the sense that the account had actually been overdrafted. Nonetheless, Julio called and asked to have his fee waived. Since he had already told me that he had indeed overdrafted the account, I wanted to know why he still called. He answered that he didn’t want to pay the fee because the reason for the overdraft was a check that he had expressly asked to be cashed at a later date, precisely because he knew that no funds would be available before. In other words, this had not been his fault, and the situation went beyond his own planning. Had it been pure negligence, he told me, he would’ve paid. But it was not, his intention had been to be cautious, so he felt entitled to ask for the fee back. The same

happened to Enrique, who got a parking ticket when buying tickets for a baseball game. He fought the ticket in court: *“Le expliqué al juez que había sido un error honesto, estaba lloviendo, creía que decía que se podía parquear de cuatro a seis, cuando vi el ticket vi que decía que no se podía parquear de cuatro a seis (...). Quitó toda la multa”* [I explained to the judge that it had been an honest mistake, it was raining, I thought it said that I could park from four to six, when I saw the ticket I saw that it said that you could not park from four to six. (...) He waived it all.]

4.3.3 Using networks

Even when a particular line of action is deemed as preferable to deal with a grievance, for many Latinos direct action is problematic. As previous chapters have suggested, feelings of inadequacy in dealing with the cultural nuances of grievances suffered while in the United States can permeate decisions of what to do, and as this section will argue, also in how to do it. In what could be considered yet another expression of collectivism in dealing with grievances, some Latinos routinely deal with grievances by having their networks act as direct intermediaries with the aggrieving party. This, for instance, was a common situation in marriages with American citizens (and sometimes also within Latino couples), in which Latinos put the whole weight of certain grievance processing on their spouses.

Miguel, a 44 year old Dominican, quite explicitly understands that as an immigrant he lacks the needed proficiency to deal with some grievances adequately. Miguel refuses to deal with complaints about debts or money with American institutions because he believes he does not have the full knowledge of American culture needed to deal with them properly. For this reason, his wife is always in charge of dealing with these issues. He does not believe that today this has to do with his English proficiency. Rather, he understands that his wife is better able to

recognize and make wise choices regarding any given dispute; she is more likely to find a favorable resolution to it. In this case, Miguel sees himself as unable to adequately make use of the options available within the system to solve such a normal grievance as a problem in a bill, and would rather leave it unsolved than call to ask for a rectification. Paola faced a similar situation, although she explained the difference between her and her husband as his ability to “personally disconnect” from the issue at stake. While she always ends up in a fight, his husband is more skilled in dealing with the individual people that deal with claims.

In some situations where the obstacles to act in certain ways can be clearly traced to a specific handicap, social networks become quite important mediums for action. This is particularly the case when English proficiency is at the crux of the limitations. This was certainly Lupita’s case, the woman with a high reliance on service providers to process her grievances. But not only social providers can perform this role. In everyday life the use of acquaintances to navigate society is a common reality. One day, as I was visiting a friend who was undocumented and didn’t know English, we had to ask a neighbor of hers to open the door for us because she had forgotten her keys. Apparently ringing in another apartment was something she never did as she found it intrusive and potentially the generator of future conflicts with her neighbors. However, since I was present, she asked me to be the one who rang the bell and talked with the neighbor; in her perception, this would prevent any future problems with him. I observed similar dynamics within couples, where the individual with more language proficiency acted as intermediary on a regular basis, and sometimes between friends (one Mexican woman whose English-speaking husband was deported regularly asked her female neighbor to accompany her when in need to make a claim at her son’s daycare institution, when finding a new daycare, and when dealing with her landlord).

In one significantly more dramatic situation, a Latino man decided to rely on friends and family as mediators when he and his wife faced a particularly violent dispute. Rather than calling the police, this couple went to his family and her friends, in an expectation to have them cool down the situation and find a reasonable solution.⁶⁷ While both partners talked separately with their support networks, when they came together again these same networks served as a tension buffer, and they stayed with the couple until everybody felt the situation was under control.

Networks, in these cases, are more than just sources of support. In these cases, the use of networks is the way in which some Latinos deal with their grievances. They rely on those networks as intermediaries or as alternatives to more official resources (such as the police). Once more, this reliance supports a collectivist worldview of Latinos, one in which in face with a grievance any member of the group can be called to step up to act in name of an individual that has been aggrieved. This reliance once more helps explain that in the cluster analysis the vast majority of grievance cases were clustered together in a class in which grievances with individuals, and preferred inaction, were significantly present (see Cluster 1 in Table 19): acquaintances are important in multiple ways (an idea that will be further developed in chapter 4.4), and as such it is important for Latinos to protect the social relationships with them, even when being aggrieved.

⁶⁷ It is hard to assess whether a different behavior would've been reached by non-Latino Americans, or by the same couple if located in Latin America. However, the reliance in the social networks as a mechanism for dealing with the grievance is what is being underscored.

4.3.4 A collective call

In chapter 3.2.2, as discrimination was discussed as a structural grievance, it was mentioned that for many Latinos their own experiences of oppression made them feel emotionally and socially linked with all other Latinos. This outlook, in some cases in the Pittsburgh area, has also been translated into specific courses of action in the face of grievances that call for this collective context. In particular, perceived discrimination in the form of racial profiling has been worked in the region collectively, in the form of meetings and collaborations with social/political organizations in the region. In these instances, Latinos have presented themselves as a collective to negotiate with the police force in particular. All the events related in section 3.2.2.3 about the PIIN-CRI Taskforce and the meetings with the Pittsburgh chief of police follow this pattern, and are important in that they illustrate quite well the collective nature of the claim, as well as the collective nature of the response.

4.4 SUPPORT SYSTEMS: PERSONAL NETWORKS AND THEIR IMPACT

This section will focus on the roles that personal networks play in Latinos' processing of grievances. As it will be suggested, in addition to the occasional direct role that they play in directly handling the grievance process (as it was presented in section 4.3.3) these networks can play key roles by providing support, information, and second-hand experience of the American system, among others. Support networks among Latinos vary broadly in terms of size and composition. During the in-depth interviews, one whole section was devoted to talk about support networks. Interviewees were prompted with specific situations of need and the people

that they count on, and actually reach toward, when they face them. Following Barrera (1980) a complete list was made for each respondent of all the people identified as offering material aid, physical assistance, intimate interaction, guidance, feedback, or a circle for social participation, along with some basic information about them and whether they had been sought for support recently. This section will present the sources of personal support perceived as available to Latinos, along with a discussion about its impact on the processing of grievances, in particular in the construction of the hybrid normative system used by Latinos in their experiences as migrants.

4.4.1 Personal networks

Conocimiento, conexiones son muy importantes para cómo le va a uno.

[Knowledge, connections are very important to determine how things go for you.]

Paola

A total of twenty full networks of support were constructed through the in-depth interviews for this project. In order to do this the Arizona Social Support Interview Scale (Barrera 1980) was followed, which assesses support networks by identifying all the people who are identified as potentially offering material aid, physical assistance, intimate interaction, guidance, feedback, and/or a circle for social participation. Questions were asked tapping each one of these different forms of support, in addition to a final broader question on important people who might have been left out through the previous method. For each individual mentioned basic demographic information was recorded, along with the relationship to the interviewee. It was also recorded whether this specific type of support had been sought in the previous month. This resulted in a list of individuals, their basic demographic information, their relationship with the interviewee,

and the type(s) of support that they are perceived to offer him or her. While it is possible to simply account for the number of people on each network to assess the overall amount of perceived support by each individual, it was preferred to calculate a total support index that included not just the number of individuals but the number of areas in which they offered support (material aid, physical assistance, intimate interaction, guidance, feedback, or a circle for social participation), whether assistance was received in the month previous to the interview, and with a lesser weight (half) acknowledge individuals who are considered important but were not prompted by the specific questions on types of support. This allows recognizing dense or active networks, rather than relying solely on the size of the network for gauging the amount of support available to an individual.

By far, white-collar migrants had the largest and strongest support networks, regardless of how they are considered. They are bigger, and they offer more total support as it was defined above. At the other side of the spectrum are blue-collar migrants' support networks, which are smaller on both measures of size and total support (see Table 20). Differences between the networks of these groups do not stop there: qualitatively these networks are also different in terms of who are the individuals in them and where they live, both important aspects when it comes to understanding the type of impact these networks can have in Latinos' experience of grievances and the American legal and social systems.

Table 20: Perceived support networks, descriptives

	Minimum	Maximum	Average	SD
Total number of individuals in network	7	35	18	7.7
White-collar migrants	13	35	25	7.3
Spouses of American citizens	12	19	16	2.8
Blue-collar migrants	7	17	11	4.8

Total support	10	86	38	21.5
White-collar migrants	22	86	58	21.5
Spouses of American citizens	13	40	31	8.6
Blue-collar migrants	10	38	21	11.9

Most likely as the result of the type of migration itself, and in this sense supported by the literature on migration (Gaillard and Gaillard 1998; Meyer 2001; Poros 2001), one important difference in the composition of the support networks across categories refers to the types of relationships that exist with people identified as supportive. For blue-collar, family members are proportionally much more important, and in many cases are relationships that existed before migration and that also live in Pittsburgh. In the case of white-collar migrants, family is proportionally much less important, with friendship being the main type of relationship found. Also, in most situations these friendships were forged post-migration rather than pre-migration so they are available in the Pittsburgh area, while family members that offer support do so from abroad or by traveling for short periods of time (for example to help when children are born). Finally, only among blue-collar female migrants are service providers identified as being part of the support networks.

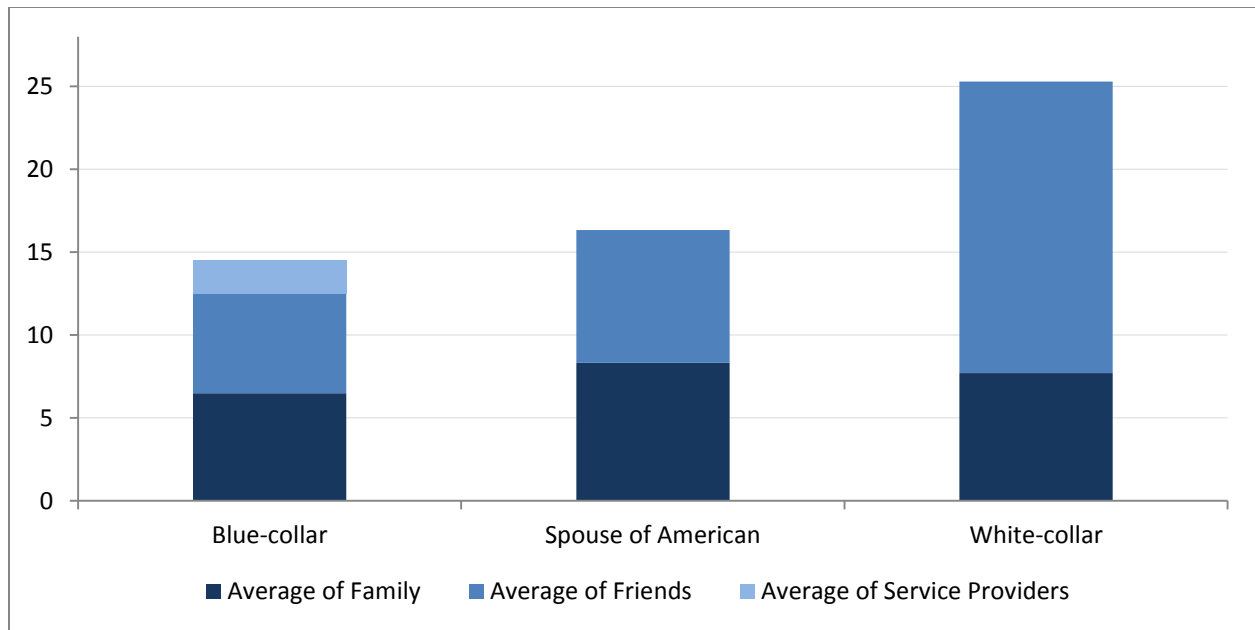


Figure 4: Composition of support networks according to type of relationship, by category

In terms of the nationality of the individuals reported as being part of an individual's support network, it is not surprising to find that spouses of Americans tend to have proportionally more Americans in their support networks. On average, 47% of their networks are American born individuals, most of them met through the American spouse. By far, the smaller percentage of American individuals in the perceived support networks is found among blue-collar migrants, who on average have only 10% of the people in their support networks being American. In two cases, no Americans at all were included in the list. As it will be discussed later, this is an important factor in understanding Latinos' different experiences in interpreting and relating to the American legal and social systems, as support networks are important as sources of knowledge and experience in this regard.

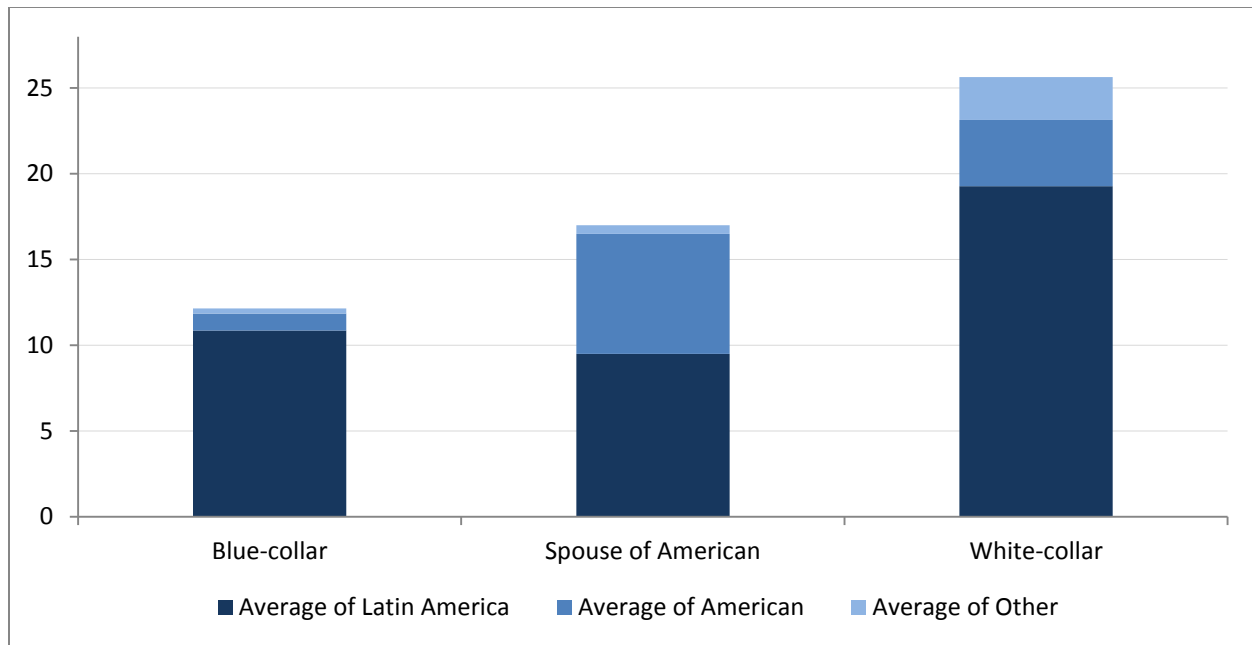


Figure 5: Composition of support networks according to nationality, by category

The composition of the support networks according to nationality across the different categories also highlights something else about the differences in the experiences of Latinos: the number of acquaintances from nationalities that are not Latin American or the U.S., which is much higher for white-collar immigrants. This was explained to me by a white-collar female as the result of the freedom she perceives in building her relationships.

Las culturas son muy diferentes. A pesar de que uno tenga la impresión que todos los latinos son iguales, culturalmente uno se da cuenta que eso no es así. (...) Por ejemplo, se me hace fácil tener conversaciones con latinos, crecimos viendo la misma música o las mismas telenovelas o los mismos programas de televisión. (...) Pero al final puedes tener amistades que vengan de Rusia porque te caen bien. O conoces alguien que habla español pero te das cuenta que no tenemos nada en común.

[The cultures are very different. Even if one might have the impression that all Latinos are equal, culturally you find that this is not the case. (...) For example, it is easy for me to have conversations with Latinos because we grew up listening the same music, or the same soap operas, or the same programs. (...) But in the end you can have friends who come from Russia because you like them. Or you know someone who speaks in Spanish but you realize you have nothing in common.]

As she said last, having acquaintances from other nationalities is directly related with her ability to speak in English and thus engage in relationships that are outside of the comfort zone set by language for other Latinos.

In a similar fashion, the type of environments in which white-collar Latinos live allow them meeting people who are themselves better connected, and knowledgeable of the American legal system. This means that in their narratives about their experiences in the United States white-collar Latinos often mention people who they did not include as part of the support system, but that were referred to them by someone there: attorneys, architects, local officials, doctors. In this way, the support network that was built through the in-depth interviews is only the tip of the iceberg, an iceberg that is much bigger and stronger for white-collar migrants.

The coming sections will discuss the different ways in which support networks actually act in Latinos' experiences of grievances in particular, and the migratory experience in general. In particular the roles of these networks as sources of experience, education and even navigation of the system (sometimes even by directly participating for the other person, as it was suggested in section 4.3.3) will be discussed, as well as the offering of emotional support in the overall migratory experience.

4.4.1.1 Been there, done that: learning from others

Although I did not have first-hand experience of this during my fieldwork, some of the earliest blue-collar migrants that I had the chance to speak with shared with me that years ago Latinos in the area came together to create saving systems that helped offer material support to all the people involved. According to this system, each individual put in a specific amount to a common fund each payday, which was to be used after a specific amount of time by one or two individuals for high cost expenses. I did not find any system so structured today of material

support within the community, but I did recognize a shift from a material-based to a more information-based based support. Although material support is needed, and does happen through donations, gifts, or lending of money, the most important form of support that is offered (and sought) in the Latino community is one of information and navigation of the system.

Overall, Latinos in general show a significant interest in learning as much as possible of the American culture. Whether it is about learning the language, or what the rules are, or in general how people live and interact. As it was discussed already, this is learned through personal experiences as a transnational migrant. Another way of learning about it is through others' experiences as they are shared and circulated through social networks. Given the limited time that Latinos have to experience the culture themselves, particularly when they are newcomers to the United States, the experiences shared through personal networks become crucial.

As a researcher I recognized this importance not only in the narratives that I collected from Latinos, but also from my own experience when my persona as an anthropologist was blurred with my persona as a Latina. Multiple times, even during the interviews, Latinos shifted into teaching me about any specific area of the American culture that they had learned of. In other occasions, they turned to me as a potential source of experience or knowledge about the American system, usually when they realized that I am an attorney in my home country. Often times I received phone calls asking for my own perception about a situation, particularly in my role as a volunteer working in the community.⁶⁸ The type of information that is shared in this way ranges from knowledge about simple social norms (Americans don't "double dip") to where Spanish speaking professionals can be found, and is constantly flowing. Multiple examples of

⁶⁸ This experience through volunteering work was also shared with me by other Latinos who worked as volunteers in different spaces.

this have been presented already above, whether it is about the learning of certain rights (e.g. domestic abuse is not permitted) or possibilities of action in face of grievances (e.g. to contact local authorities about problems with a water pump or discrimination).

But it is not only flows of information that networks offer. In some more involved cases, they do not only channel information about the system, or specific resources that are available, but also offer more direct support in engaging with that system. In some domestic problems, Latinas have had their support networks inform them about some legal resources that they have (either to demand child support, or a divorce) and have had some of these friendships walk with them to court or to visit a social worker. When a man was faced with discrimination at work, her wife directly wrote a letter to the American Civil Liberties Union to ask for their involvement. The American spouse of a Latina actively tries to engage her into learning the skills needed in day to day life: although all bills are in his name and he is formally in charge of the finances in their relationship, he expects her to write all the checks as a way of having her learn how to do it: *“Para que ejercite hacer cheques. Para que practique como poner los números en inglés, el nombre de la compañía.”* [So I practice making checks. So I practice how to write the numbers in English, the name of the company.]

This last experience illustrates something important about support networks: the composition of the networks that Latinos have is very relevant in the type of help they can provide. The more involved with the American culture the network, the more it is able to offer information and concrete help in this regard. However, support about going to the courts, or learning about the rights in the United States, can be offered by either American citizens or Latinos that have lived in the country for a very long time. When a personal network has little or no individuals that meet these requirements, it makes it much harder to access the type of

information that only they can offer. In issues about the immigration experience, however, Latino transnational migrants themselves become important sources of information. In Juan Pablo's case (section 4.3.2.2) where he learned that his attorney was scamming him with a process, he did so from a friend who had been in a similar immigration process, while his multiple and close American acquaintances had been unable to provide such help.

4.4.1.2 I know someone who might help you: referencing services and people

Within the breadth of information that flows through Latino social networks, a particularly significant one is that of information about services or people that might be available or useful for any particular situation. This is certainly the one topic about which I was more often concretely reached for and is a particular area where the type of networks that Latinos have available makes an important difference.

Most of the white-collar migrants, when they have been in need of referrals to local services and professionals, have used their American acquaintances to do this. A Latino who had studied a legal-related career used the services of some of the attorneys that had been his professors; the spouse of a working visa holder often contacted her husband's boss and his wife to ask them about people they might know on various professional areas; another Latino who was married to an American citizen constantly reached to his wife's family to ask for advice on these same issues. These are not necessarily all people that would appear on these individuals' support networks, but they are reachable and willing to help them, which makes white-collar and spouses of Americans much better equipped in this regard. Individual characteristics, such as the ability to speak in English and thus sustain meaningful relationships with Americans, as well as legal status, can also have an impact on the type of support that can be received from the networks.

While the impact of English speaking is quite direct, in many cases the advantages of being documented versus undocumented are not quite obvious in terms of the relationships that are forged. But they do exist. One of the interviewees with whom I worked had one of the smallest networks as well as multiple limitations to access more people. In particular, she could not speak in English and she worked two jobs. However, she was often times able to learn about services and people that seemingly better prepared Latinos could not. Part of her success with this lied in that she is all the time in the look for such referrals; for instance, after doing the interview with her she has called me more than ten times to ask me for information of this kind. But part of her success is also that she has been able, thanks to her legal status, to access particularly well connected individuals. She has called individuals who work in the local government, she asks information from a chiropractor to whom she was referred after an injury, and she stays in constant contact with her social workers and attorneys. All these are professionals that she would've had a hard time contacting had she been undocumented.

This woman's case also highlights another aspect of networks and their use, which I also noticed during my fieldwork (and that other Latinos also mentioned to me). While information about services and people who can work with Latinos does exist, and is sometimes found centered in certain spaces and institutions, it is first needed that people learn that the information is available and where, and also that they ask for it. Both of these requirements can be challenging for Latinos who for social, cultural or personal reasons are less capable of learning about this information (which is directly related to what has been discussed about support networks and how they work), but also who might be less willing to ask for this help. Men, for example, have smaller and less active support networks. It has been suggested to me by some

men themselves⁶⁹ that this can be due to their upbringing into a particular idea of masculinity that cannot accept the asking of help, a perspective that would also explain why no service providers appear as important support individuals for any male Latino.

All of the Latinos of whom I sketched a support network had in their acquaintances individuals that were reached expressly as sources of information about the American system, its resources and services. For some it was an American friend, professor, employer, or in-law. For those who didn't have this type of access to Americans it was a Latino friend who had migrated earlier and had been living in Pittsburgh longer than them and was thus perceived as more knowledgeable. In each case, the type of help and references that those acquaintances could offer were qualitatively different, thus strengthening the structural and social differences already in place across the Latino community.

4.4.1.3 Just be there

An important way in which Latinos receive support from their networks is at the most mundane level of helping with everyday life and the emotional stresses that being an immigrant can produce. This is an aspect that is of great importance to Latinos themselves, and one that is highly valued and recognized. In many of the cases of grievances that I heard of, those who were aggrieved were particularly thankful of individuals that had “simply been there.”

Being there looks different in different situations, but can be anything from listening to the person aggrieved and offering understanding to feeding them and giving them a home. In some other cases it refers to helping a pregnant woman move out from her house, or taking care

⁶⁹ In two separate occasions I was suggested this by different men. One was on a conversation that I already noted above with two couples; the other one was with a white-collar migrant who later married an American and talked with me at length on how he believes his masculinity is a big part of his unwillingness to ask for certain types of help or support.

of her kids. In the loneliness that is many times present in the Latino narratives, having friends that are willing to be there is recognized as quite valuable.

However, not all individuals or situations are equally prone to receive this type of support. When support networks are too intertwined, people find it difficult to ask (and hence to receive) this very basic support because it is hard to explain the reasons why it is needed. For Ana, her domestic problems with her husband were hard to air with her usual sources of support because they could potentially backfire on her. She didn't want to rely on her mother because they were living together and this could damage the relationship between her mother and her husband, but she also could not turn to some friends because the limited amount of friendships that she did have in Pittsburgh all were already her mother's friends and she was afraid they would end up informing her of the situation. In this and other similar circumstances, close-knitted social networks end up working against an individual's receiving the support in a specific situation, as any tension can risk spreading to other nodes.

4.4.1.4 The case of spouses of American citizens

The case of the spouses of American citizens, when it comes to their support network, is somewhat complex. On the one hand are cases such as that of the woman whose husband trains her into writing checks, or the man whose wife handles all the problems with bills or other negotiations. At the other side of the spectrum are some of the most isolated and vulnerable Latinos that I met during my fieldwork: women who didn't know anybody besides a very short list of people, acquainted only through work. As one of them told me, she was married to a man that worked hard at isolating her, and succeeded. The only reason I eventually learned about this woman was because in a particularly difficult moment with her husband she wrote an email asking for help to a mailing list that I was a part of; by the time I talked with her, however, she

was back with him and her circles had shrunk again and she had no contact with anybody outside her work and family.

This woman's situation was much harder than that of other migrants with limited support networks. For example, in one other case of a domestic dispute that I learned about between a blue-collar undocumented couple, the woman decided to leave with her daughter to her friend's house after the fight. This alternative is absolutely unavailable to the spouse of the American citizen because her isolation was much more extreme. It also plays a role that in domestic disputes, the relationship between a Latino and his or her American spouse is clearly unbalanced, in terms of the knowledge about the local system and also in terms of the intrinsic vulnerability of the migrant as an outsider. This was best illustrated by Dolores' situation mentioned above when she called the police (section 3.1.1.1) and she found her fears and helplessness strengthened.

Being the spouse of an American citizen can yield great benefits or immense obstacles. Spouses of American citizens tend to fare very well or very bad, and it depends on the type of resources that the spouses can and are willing to offer to the immigrant. If supportive, they are a great asset because they are American, with great knowledge and confidence about the system. As another important perk, they can also offer legal status. But if they are not supportive, migrants can end up worse off: their networks tend to be much smaller and less supportive than those of other Latinos. Spouses of American citizens who are not supported become highly dependent on that spouse as mediator to the system and networks and for legal status. Little alternative support combined with high dependence becomes then a very harming situation.

4.4.2 Teaching oneself: beyond personal networks

Although the individual circumstances of each Latino impact deeply the type of support that they can receive from their social networks, as it has been discussed above, there is one other attribute that is particularly relevant in determining the resources that are made available to certain Latinos but not to others: the capability of learning about the local system and culture by themselves, without necessarily relying on their networks for this task.

A common remark that I heard from many Latinos when questioning about grievances and problems in general and the ways they found to solve them was that they just “looked for themselves.” In a time when information can be readily available through resources like the internet, this is hardly a surprise. What is remarkable though, is the stark difference that having access to such information can have not only in the actual actions and resources that Latinos have available, but also on their own perceptions of themselves and the position they occupy in the local social structure.

Access to the information that is available through a resource like the internet is not granted to everybody. On the one hand, there are the actual economic costs of having such access or knowing a place where it can be found. On the other hand are the much more intangibles such as English proficiency and technological proficiency, which are quite unequally distributed across society in general, and the Latino migrant community in particular. While white-collar migrants had a clear advantage in this regard, not all blue-collar migrants or spouses of American citizens were in the same condition. Dolores, the same woman mentioned above, was able to start moving away from her situation by accessing the internet and sending a message. Through this medium she was also able to find an attorney and contact a women’s shelter. Education,

therefore, becomes a key component in determining a migrant's capability of accessing most of these resources.

In all the interviews I had with white-collar migrants, internet was mentioned at one moment or another of our conversation. Either this had been a resource that had been useful in a very specific grievance, or it was simply a general way in which these migrants approached life in a foreign country and all the unknowns that are related with it. In some cases it allowed them to forgo the services of an attorney if they found it too expensive, in others it helped them minimize the cost of legal services by helping them fill out the paperwork needed before an appointment with a professional. In many cases the internet was used as a source of information about a particular issue they were dealing with, like changing legal status, or facing a DUI.

Apparently simply a difference in terms of the resources made available to different people, the possibility of learning about the system without dependence upon other members of the personal network is also important in terms of self-perception. Being able to access information without needing any mediators brings certain Latino migrants more at the center of the social structures and leaves other more clearly in the peripheries. In this sense networks become important not only by what they actually do, but also by what they do not need to do, and in both these dimensions white-collar migrants have the clear advantage.

4.5 A SUMMARY: ON HYBRIDITY

As Latinos face grievances in the United States, the range of norms and values that they consider to deal with grievances is broad. As it was discussed in a previous chapter, when interpreting a situation that makes them feel aggrieved Latinos have the option of using definitions of

grievances that come from their countries of origin (e.g. Lucrecia's accepting physical violence from her cousin due to the type of relationship they had), or that they have learned in the United States (e.g. Lupita's recognition of physical violence from her husband as unacceptable). In some cases, the normative space is deemed as too confusing to even make a decision over whether a situation is a grievance at all. When actually acting in response to the grievance, Latinos face an equally broad array of options. Depending on their readings of intentions and relationships, they might prefer to maintain harmony (e.g. Ingrid's letting go of her grievance with a Latino painter with whose wife he had a close relationship), or reinforce their independence (e.g. Juan Pablo's whole approach to his problems with his in-laws and their accusations).

The normative and value systems considered by Latinos both to recognize a grievance and to deal with it is undoubtedly influenced by both of the cultures in which Latinos coexist: the one they lived in before becoming migrants, and the one they live in as Latinos. Taking as an example Lupita's case, her own reformulation of domestic physical violence as inappropriate occurred as two overlapping normative systems were in complete contradiction. However, this transition was not abrupt. Rather, she learned slowly about the alternative ways in which physical violence is framed in the United States and opposed it to her own experience with her husband in her native country. For a while, both norms coexisted and Lupita tried to work her husband into the new framework; as this clearly failed, she eventually fully embraced the American standard. However, her decision on this aspect of her life does not necessarily entail a full acceptance of the American normative system. When faced with other grievances, Lupita sometimes responds in ways that are more easily linked to her home country (as in her reliance on the collective in processing most of her grievances).

In this mix, the role of supportive networks is fundamental. These networks are not only a very important space in which the normative systems of Latinos are molded as hybrid structures: their importance helps shape, by itself, some of the norms that are preponderant in the Latino community, particularly those norms that protect relationships from being damaged by a grievance process. Support networks are an important resource for Latinos in their lives as migrants. Support networks are there to combat the loneliness of being a migrant, offer understanding ears, provide valuable information, and in some cases take over solving problems. A Latino's network has a deep impact on the type of experience that he or she will have in this foreign country, in the type of information that they will have available, and on the resources that they will know about. If the contacts in the information can only lead to certain attorneys, despite their reputation, that is all that some individuals will be able to access, at least for some time. If the information about the local culture is wrong, or is not available in that Latino or Latina's network's contacts (as, for example, the importance and normality of making a claim in the United States), it won't be available either to the Latino or Latina themselves.

On the other hand, networks can also become problematic. As people may become deeply involved in networks that are dense and somewhat limited, the risk of creating disruption in a network can prevent in some cases the airing of a problem (as when a domestic issue is kept private to prevent the mother to hear about it). The fear of gossip, and of losing the networks in general, can be strong enough to have this effect.

In the networks, many of the issues already discussed blend together. Networks are, in a way, a metaphor of the hybrid normative systems that shape Latinos' experiences and decisions on grievances. In social networks, as in those hybrid systems, various influences come together to create a unique composition for each individual. A person's personal circumstances will

determine who can make part of their network and who cannot, and it will also determine the level of dependence that they will have on that network and whether they will be able to figure out things on their own. In the same way, the hybrid systems that are built with the help of these networks are made up from each individual's own knowledge and resources, along with the different experiences and information that he or she is able to collect as a migrant (and partially from their networks). These systems are constantly changing, they are constantly affected by the flows that occur within them, and they are impacted by both the local culture and the one(s) to which the migrants are native.

In this chapter, three broad groups of values or norms that were important to Latinos were discussed: the interest in maintaining harmony, independence, and intention. The first norm has been clearly linked to the discussion about networks presented above as it is present in collectivistic groups. This interest in harmony is usually traceable to Latin American countries (at least in opposition to a less collectivistic American society), and is further reinforced by the marginal structural position of migrants in their new country of residence and the ensuing dependence on their support networks. The cases presented to illustrate this norm reinforced the idea that the maintenance of harmony was particularly engrained in many Latinos (although they deemed it more as a personal, rather than a cultural, trait), and that it was of special importance in maintaining intra-group harmony. The cluster analysis also supported the importance of this norm in Latinos' dealing with grievances. The second value, on the other hand, is almost a direct response to the first one. Independence, in most narratives, is a value that can be traced to the experience in the United States. Whether it is by a distancing from certain social norms (as was the case when Latinos referred to an acquired freedom by living far from strong social demands), or through the pressures lived by Latinos in general, but particularly undocumented workers, to

prove their worth as self-reliant individuals, immigration places some Latinos in a context where independence can present itself as an important value. As for intention, it is sometimes used to determine what line of normativity is to be preferred: when intention is deemed as non-aggressive, collectivistic values tend to be preferred, whereas in more confrontational situations collectivist approaches that prefer harmony are disregarded for other more confrontational and self-reliant. Overall, this pattern suggests a picture where normative standards from the countries of origin are meshed with those found locally in the United States, producing an array of normative options that is much broader than either of these options individually considered. For each individual, as is the case for Lupita, the particular alternatives that are readily available are a hybrid composed from the life experiences and exposures in both the home country and the United States.

5.0 CONCLUSIONS: CREATING A PLACE, FINDING A CONTEXT

This dissertation makes both theoretical and applied contributions. On a theoretical level, my central argument is that Latinos in Pittsburgh frame their grievance experiences through hybrid normative systems which are constructed from both the knowledge and experience about legal and social norms that they bring from their countries of origin, as well as from the specific experiences, flows of information, knowledge and perceptions accessible to them about the receiving legal culture. A broad perspective on the dispute process was used, focusing on its earliest stages. In doing this, I was able to recognize contexts in which structural inequality is particularly relevant for Latino migrants' experiences, but that would be overseen with a focus restricted to later dispute stages. Additionally, by accepting the existence of multiple hybrid normative systems within this single Latino community, I was also able to identify internal differences within the group that have a deep impact on the everyday experiences of Latinos with different backgrounds. The focus on a new growth area such as Pittsburgh also provided fertile ground for understanding the early stages of a transnational community's experience of grievance. In particular, it presented an opportunity to identify some of the issues that appear as common to most Latino migrants regardless of their background (such as language difficulties, or ignorance and fear), and those that create strong differences within the community, in particular the type of social support networks available to each individual. All these observations have important applied worth. As it will be later presented and detailed in this concluding

chapter, understanding the issues that affect this transnational community, their internal differences, and the strong impact that the everyday experiences of grievance can have in their overall perception and understanding of their host country, provides important considerations to be taken into account when formulating policies that target these communities.

5.1 GRIEVANCES AND HYBRID SYSTEMS

In this dissertation I have argued that Latinos interpret their encounters with the “legal”, be it with legal institutions or with social expectations of behavior (particularly as they are contextualized by grievances), vis-à-vis previous understandings brought from home, experiences lived there, and the experiences accumulated as migrants. The result of this process is a number of hybrid normative systems, one for each migrant, that are then used in future social encounters to frame and interpret behavior. This normative system is hybrid because it brings together ideas, norms and values from the different social spaces inhabited by the Latino immigrants. Rather than a clean slate on which ideas about the American legal system and its norms are imprinted, Latinos present an already filled picture of experiences and ideas about the legal and its institutions upon which new experiences and ideas are added and molded, creating individual and mutable conceptions about the “American system.”

These normative systems that Latinos use are important not only because they determine the ways in which they perceive and use the official legal resources and institutions that exist in the Greater Pittsburgh area, but also because they have a direct impact on the ways in which Latinos experience everyday life, in particular grievances. The grievances considered in this dissertation were not only those monumental experiences of injustice (which undoubtedly do

exist in the community), but also the mundane, everyday situations that can create grief but that are often perceived as unimportant: the small extra fee that is charged, the weird look when buying shoes, the discussion about who does the house chores. Small and unimportant as they may seem, these grievances are significant. On the one hand, they represent the core of the dissatisfactions of everyday life, and they do allow understanding the ways in which grievances in general are processed by these immigrants. In the end, they represent a broader spectrum of the lived life of the transnational migrant. On the other hand, understanding the ways in which Latinos process these grievances allows recognizing that they also play a role in reinforcing (or challenging) the structural spaces inhabited by Latinos in their new country. This section will discuss this relevance of the grievance processes and the hybrid normative systems used in them, and is followed by a discussion of the ways in which this understanding can impact policy and decision-making about Latino immigrants to the United States, and in particular to a region such as the Greater Pittsburgh area.

Building upon the work of scholars who have called for a broad understanding of law and a focus towards the everyday life and experience of law, I have set myself throughout this dissertation to provide a view of the legal experience of Latinos in a new growth region: the Greater Pittsburgh area. In so doing, I have understood the law as built upon the ideas and understandings that people who use it have about it, and all the formal and informal norms that are actually used by them when needed (even if they come from a plural number of sources, as legal pluralists accept). As such I am following in the footsteps left by other such as Fitzpatrick (1992), Greenhouse, Yngvesson and Engel (1994), Ewick and Silbey (1998) and, in the specific case of research with Latinos, Coutin (2000), as well as scholars who have supported the existence of legal pluralism in complex societies. However, this work provides a fresh

perspective by revisiting what is considered a trouble case and accepting the possibility of unstructured transnational normative systems. Instead of focusing on already settled disputes, in this dissertation the focus is on the experiences of very early stages of trouble, exploring the norms (regardless of their source) actually used to interpret reality and make decisions about it. As a necessity, the focus in the dissertation moved away from the courts and other formal spaces of legality and rather explored the spaces of everyday lived experience, the mundane and the simple, as contexts in which the law (broadly understood) can be lived. As it is uncovered throughout the dissertation, this is a focus that allows recognizing an impact of social structural inequality, with Latinos commonly at the margins, which can easily be overseen. It is also a focus that permits recognizing potential avenues for social change that lie on this everyday spectrum of Latinos' lives.

In bringing together a broad definition of law that focuses on the formal and informal norms that are actually used, and a focus on the early stages of trouble cases, I have been able to recognize the coexistence of normative systems in Latino migrants' everyday experience. These normative systems are not necessarily formally structured either by a state or a transnational organization, but are rather shaped by migrants' past and present experiences and their use of their networks of support. As a result, I have found that as Latinos face grievances in the United States, the range of norms and values that they consider to deal with them is quite broad. Even from the very early stages of interpreting a situation that might make them feel aggrieved, Latinos have the option of using definitions of grievances that come from their countries of origin, or those that they have adapted in the United States. Depending on every individual's situation, Latinos might be able to recognize a grievance (or fail doing so), recognize options available to deal with the grievance (or not), and make decisions about what to do in accordance

with values or norms which might have their origins in either their native or their host country. This is an important finding, as it clearly illustrates the internal differences within the Latino community and the deep impact that these have in the experiences that these Latinos have.

The normative and value systems considered by Latinos both to recognize a grievance and to deal with it is undoubtedly influenced by both of the cultures in which Latinos coexist: the one they lived in before becoming migrants, and the one they live in as Latinos. Similar to the process described by Nestor GarcíaCanclini (1990) mainly in the context of popular culture, hybridization of normative systems also seems to occur in the case of Latino migrants in the Greater Pittsburgh area. These hybrid normative systems, built from the ideas and experiences available to Latinos, is constructed slowly as experiences are incorporated, interpreted and reinterpreted in accordance to already existing norms, values and resources available to them. As in GarcíaCanclini's work, this hybridization includes a process of a blurring of borders between the nation-states that have influence on Latinos' life (deterritorialization), this time in terms of the limited integrity of either of these legal systems in how they impact the migrants' everyday lives; a somewhat limited process of decollection, in which access to knowledge and communication allow that not only elites amass access to knowledge of the formal legal systems; and the expansion of these impure (hybrid) normative systems that are not formal nor bounded, but that certainly determine migrants' experiences of grievances.

In sum, by bridging between the existing literature on the everyday experience of the law and the transnational experience of hybridity, this dissertation offered a fresh view on grievances as they are experienced by Latino migrants. Furthermore, by focusing on the very early stages of trouble cases, that is, the grievance stage, it was possible to assess a new dimension of the impact of structural inequality in the production, and processing, of trouble cases. For instance, it

allowed identifying those cases that remain unrecognized or undealt with due to a limited understanding of the American normative system (see sections 3.3.1 and 4.2.1). When grievances are not dealt with due to the fear that exists in living at the margins, these cases then become relevant as their lived experience will help Latino migrants reshape the understandings that they have about the American legal system, and their position within it. In many cases, the result is a reinforcement of the marginal feelings that impeded action in the first place. In this dissertation the intrinsically unequal context of grievances is thus illustrated, most clearly done in instances of discrimination (section 3.2.2), where inequality (symbolic, as well as in terms of social and economic capital) is especially strong.

By accepting that the normative contexts of different individuals might be different, in this dissertation inequality was recognized both outside and within the Latino community. In the one hand, the basic knowledge of Latinos about the formal American normative system and its institutions, as well as the breadth of experience that immigrants might have with that system, tends to be less than that expected of an average citizen in the host country. On the other hand, and perhaps even more interestingly, the resources available to each member of the same transnational community, in this case the Latino community, are also unequally distributed across the population. In a new growth area such as Pittsburgh, where the number and scope of Latino resources that could homogenize the experience of migration is still quite limited, this becomes particularly relevant.

When not many resources are available to the community at large, personal support networks become of key importance. This dissertation has discussed how these networks can have a deep impact on the type of experience that Latinos have in the United States, the type of information that they have available, and the resources that they will know about. In short, these

networks have a clear impact on the depth and quality of the hybrid normative systems that each Latino is able to construct. A person's personal circumstances will determine who can make part of their network and who cannot, and it will also determine the level of dependence that this person will have on that network versus their own ability to explore the local system on their own. In the same way, the hybrid systems that are built with the help of these networks are composed from each individual's own knowledge and resources, along with the different experiences and information that he or she is able to collect as an immigrant (partially from their networks). These systems are constantly changing, they are constantly affected by the flows that occur within them, and they are impacted by both the local culture and the one(s) to which the immigrants are native.

What this means in practice is that although all Latinos do share similar realities, as the discussion on discrimination particularly showed, they do have access to different resources. This results in different constructions about the legal space and, most importantly, in different positionings (and possibilities for mobility) within the broader social structure. The silver lining from this prospect is that as a new growth area, the experience that is to be offered to Latinos in the Pittsburgh region is still somewhat flexible, an idea that will be discussed in the next section.

5.2 THEORETICAL AND APPLIED LESSONS FROM A NEW GROWTH AREA: CREATING THE FUTURE

In her study of Mexican migrants to *el Norte*, Monique Nuijten mentions the deep impact that life in Los Angeles had on the community with which she works. The violence and explicit

discrimination experienced by these communities is strong, living in areas where the space allowed to be occupied by Latino immigrants has a long history and is perceived almost as a fixture. Latinos from the community she studied migrate to fully Latino neighborhoods where they are able to find familiar structures and services catering them, but also where they are ghettoized and feel almost trapped. This context is the one that frames the experiences of migration for Nuijten's informants, and these are often filled with resentment and frustration. In a new growth area such as Pittsburgh, the history of Latinos is still on its earliest stages. As it is exemplified in this dissertation, research on a new growth area provides clear space for both theoretical and applied lessons.

From a theoretical standpoint, research on the experience of Latino communities in regions where the population is small, where the number of resources specifically available to the community is still limited, and where there are yet few social structures that provide a relatively uniform and cohesive migratory experience (as is the case of the Los Angeles researched by Nuijten), is able to provide a perspective of what life as a migrant is like that, when compared to other more common (and researched) locales of immigration, is relatively basic and, in certain aspects, devoid of some complexities present elsewhere. While existing ethnographic work in cities like Los Angeles (Light et al. 1999, Coutin 2000, Nuijten 2005), New York (Guarnizo 1994, Oboler, 1995, Jones-Correa 1998), Chicago (Padilla 1985, Ramos-Zayas 2004), and San Francisco (Menjívar 2000) certainly provides important insights that allow a better understanding of the transnational life of Latinos in the United States, only work in new growth areas can provide a perspective of the early stages of this transnational process as it translates in the experiences of individuals and full communities. This is relevant not only for new growth areas per se: in a way, research in these regions provides insight into possible ways

in which now settled communities started (or at least some of the potential factors that were relevant during that early times), offering a deeper understanding of their current realities (and perhaps hints as to avenues for change). In this dissertation, the focus on a new growth area has allowed a particularly unfiltered perspective on the deep impact that language proficiency can have in the migratory experience, a situation that is not necessarily faced by migrants where fully formed migrant communities exist; the role of ignorance and fear in the everyday experience of Latinos of all backgrounds (section 3.1.2) unfiltered by mediating community contexts; and, quite related with the above, the ways in which support networks are sought and used in a context where little else is present, including the differentiating role that the type of migration (in particular white-collar versus blue-collar migration) can have in this regard. While language limitations, ignorance and fear, and support networks are a part of all transnational migrant communities, regardless of their location, their observation in a new growth area permits discerning processes that are somewhat intrinsic to the migratory experience and processes that might be more related with the types of spaces that continued migration has provided.

Once again using Nuijten's work as a mirror, the ghettoized experience of Latinos in Los Angeles plays a crucial role in her interpretation of the Latino realities both in the United States and in Mexico. By doing research in a new growth area, in this dissertation it becomes clear that at least in the early stages of migration such clearly marked spaces of exclusion are not a necessity. Instead of needing to refer to ghettos as a strong determinant, in this dissertation I was able to identify more basic elements of differentiation: language, legal status, education, and explore the ways in which marginalization is sometimes shared throughout the community, and sometimes lived in clearly differentiated ways within the population.

The contrast that research in a new growth area and research in more traditional regions of immigration has important applied value. What is today a problem, such as the invisibility of the Latinos and the lack of culturally appropriate services catering this community that triggers the situations in which language proficiency, ignorance or fear can be marginalizing, can and should be interpreted as an opportunity in terms of public policy. As the Latino population continues to grow in the Pittsburgh area, the door is still open to create a reality for Latinos that prevents falling in the pitfalls found by Nuijten in Los Angeles. By recognizing that all experiences, no matter how small, can have a strong impression on the ways in which Latinos frame their life as migrants and the types of normative systems that they are able to construct, it becomes relevant to consider the ways in which those daily experiences can be shaped so that they positively impact Latinos' relationship with their host country. Understanding the diversity of migrants in the region and the different access to resources that they have can also inform better targeted policies that are able to address the specific needs of all the populations existing within the Latino community, hopefully being able to avoid such stark internal inequalities as those found in cities like Los Angeles.

In the Greater Pittsburgh area, some advances have been made on this matter. In particular, the encounters between the chief of police and the Latino community are certainly a step in the right direction. Yet, much more can be done. Discussions about how to facilitate the experience of Latinos in the United States usually focus on the big themes, particularly the topics of immigration regulation. This is certainly an important aspect of the Latino experience, and as this dissertation illustrated, it is one that affects all Latinos regardless of their legal status. However, this dissertation also suggests that the mundane of the everyday can also provide spaces of experience with the "American system" that can be more easily molded than such

broad legislation. For many Latinos, understanding that small grievances with big institutions can be claimed, or that products can be returned after buying, are considered important lessons learned. So is being acquainted with the variety of services and organizations that are available to non-citizens, regardless of their legal status, an area where there is a particularly large gap within the Latino community between the better connected white-collar migrants and blue-collar migrants. In the same vein, for many Latinos finding good references to reliable service providers, be it doctors, mechanics or attorneys, can be a life-changing experience. All of these “lessons learned” can be facilitated without the major obstacles that changing legislation can find. Enabling familiarity with some of these basic aspects of life in the United States can have a deep impact in the type of experiences that Latinos have as immigrants. And as this dissertation shows, these experiences in themselves will further nurture the referent with which Latinos contextualize their future experiences.

In particular, the following items are identified as relevant when considering policies targeting immigrants in a new growth area:

- **Transnational migration can be a challenging experience to all migrants, regardless of factors such as legal status, education or type of migration.** In particular, Latinos of all backgrounds reported perceived limitations due to the lack of knowledge that they held about the American culture and system, and the resources that they have available in living in the Pittsburgh area. Ignorance, and the many times related fear that accompanies it, is a prevalent problem.
- **Communities are diverse, and not all programs can be accessed equally by all immigrants.** This has two-fold implications. On the one hand, when policies are designed and implemented it is important to consider which sectors of the Latino

community are being targeted by that policy, and whether these inequalities are being strengthened in some way by these policies. At the same time, since communities are diverse it is often possible to address the needs of different sectors of the population in different ways. Technology as a tool, for instance of information dissemination, can be with some levels of the population, but not others. Related with this,

- **Access to technology is an important factor of difference within the Latino community.** It is also one that can be addressed by targeting Latinos in programs that attempt to increase the technological proficiency of the population, in particular for accessing information. Examples of this are learning to use computers, the internet and search engines (and of course learning English), resources commonly used by more privileged migrants.
- **Support networks are important, but not just any type.** Support networks play vital roles in transnational migrants. However, it is not only important to have a network but also its composition. For needs such as the reference of service providers (doctors, lawyers, etc.), or basic knowledge about the American culture and legal system, having American acquaintances proves particularly valuable. This should be considered when opening up spaces that foster socialization; it can be important to find spaces for cultural interaction, and not exclusively for targeted culturally contained spaces.

5.3 WHERE TO GO FROM HERE: FUTURE DIRECTIONS

This dissertation opens two main doors of future research that can be of value, once more one on a theoretical level and the other at a more applied one. From a theoretical perspective, it becomes of interest to unveil how useful is the model of hybrid normative systems to understand broader experiences of the legal. From an applied perspective, the new growth area as a locale of interest to understand early migratory experiences and the mid-range and long-range impact of service provision and policy changes provides a fertile ground for research that can have an impact.

The production and use of hybrid normative systems for the contextualization of grievances seems, intuitively, a good model to explain the experience of transnational migrants in general. It is reasonable to expect, but needs yet to be properly studied, if this type of experience is common to other migrant groups. Some of the particular ways in which norms are incorporated and personal networks used are interesting comparative areas of research. A more interesting question is whether this model is also useful to understand the experience of other non-migrating minorities, with their own particularities, and even of “mainstream” individuals. Multiple studies about the legal understandings of non-legal professionals in the United States suggest that there is a multiplicity of ways in which the law can be lived (Greenhouse, Yngvesson et al. 1994; Ewick and Silbey 1998) even by communities that are not considered minorities. In the future, it would be valuable to do some research that examines the validity of the hybridity model for legal experience in general.

From an applied perspective, this dissertation offers a starting point, or baseline, for future research on the impact and importance of early service provision and experiences of transnational migrants in contexts that are still quite flexible, as are new growth areas. Transnational migration has been most studied in spaces where migrants already have created

deep histories. These histories, then, become an important variable to take into account when understanding and interpreting these migrants' experiences. As it has already been discussed, in new growth areas the slate is much cleaner and as such permits research of early experiences of immigration at the community level. How these experiences can be molded by specific interventions (be it in the form of service provision or local policies) is of deep interest in preventing situations such as that found by Nuijten in Los Angeles.

APPENDIX A

INTERVIEW SCHEDULE

NUMERO DE ENTREVISTA: _____

SEUDONIMO: _____

FECHA: _____

HORA DE COMIENZO DE LA ENTREVISTA: _____

Estoy realizando un estudio con la comunidad Latina en Pittsburgh sobre cómo hacemos frente a ciertos problemas que enfrentamos. Estoy particularmente interesada en entender qué consideramos una disputa y cómo tomamos la decisión sobre qué hacer cuando tenemos una. El propósito de este estudio, y posible beneficio, es lograr entender qué recursos tiene disponibles la comunidad Latina para enfrentar estos problemas del día a día. No hay riesgos ni beneficios directos que puedan ser previsibles por participar. Para este estudio estoy entrevistando a personas mayores de 18 años de la comunidad Latina que han vivido al menos dos años en Pittsburgh, ¿es este tu caso? **[SI SI:]**

Cualquier información personal que me brindes **NO** será divulgada. La entrevista va a ser anónima y las respuestas serán guardadas bajo llave. Para garantizar la confidencialidad de la información obtenida en esta entrevista voy a usar un seudónimo, es decir, voy a llamarte por un nombre escogido por ti que no es tu nombre real. **[DAR TIEMPO PARA ESCOGER SEUDÓNIMO, PEDIRLO Y ESCRIBIRLO ARRIBA]**. Además, voy a asignar un número a esta entrevista de manera que toda la información que recoja quede relacionada exclusivamente con este número.

Tu participación es voluntaria. Si aceptas participar, esta entrevista va a tomar entre una hora y una hora y media. En ella voy a preguntarte primero sobre aquellas personas que crees que te brindan algún tipo de apoyo. En seguida haré preguntas sobre disputas/broncas/enojos/peleas (México) y problemas comunes que van desde infracciones de tráfico o deudas hasta disputas con agencias del gobierno. Por tu participación recibirás una tarjeta al final de la entrevista por un valor de \$15.

Tienes total libertad para no contestar cualquiera de las preguntas durante la entrevista. Igualmente, si por alguna razón deseas terminar la entrevista, también puedes hacerlo en cualquier momento.

Mientras hacemos la entrevista no voy solamente a escribir las respuestas, sino que también voy a grabarlas. La grabación me ayudará a completar cualquier información que no alcance a escribir durante la entrevista. Sin embargo, si no deseas que la entrevista sea grabada, o si prefieres en cualquier momento que la grabadora sea apagada, puedes pedírmelo e inmediatamente lo haré.

[CONSENT FORM – FIRMAR. SI NO SABE LEER, LEERLA]

Quisiera agradecerte de antemano tu participación. Espero que esta experiencia sea interesante para ti. Empecemos!

[PRENDER LA GRABADORA]

A. COMUNIDAD

[PRENDER LA GRABADORA]

A1. ¿Hace cuánto tiempo vives en Pittsburgh? (o, ¿te acuerdas cuándo llegaste?)

_____ años _____ meses

A2. ¿Hace cuánto tiempo vives en los Estados Unidos? (o, ¿te acuerdas cuándo llegaste?)

_____ años _____ meses **[SI MENOS DE DOS AÑOS, PARAR!!!]**

A3. ¿Cuál es tu país de origen? _____

A4. ¿Te reúnes a veces con otros latinos en Pittsburgh? (para hacer cosas juntos o salir a comer)

Sí _____ No _____

A5. ¿Participas en alguna organización de latinos o para latinos en Pittsburgh?

Sí _____ No _____

A6. ¿Cuál de las siguientes opciones crees tú que mejor describe la comunidad Latina en Pittsburgh?

_____ Es una comunidad ya establecida. Por ejemplo, existen espacios para los latinos, hay información disponible para nosotros sobre la ciudad y la vida acá, es fácil saber dónde encontrar a otros latinos, hay actividades que son de y para la comunidad.

_____ Es una comunidad que se está formando. Por ejemplo, se pueden encontrar algunas de las cosas mencionadas arriba (espacios, actividades, personas) pero todavía no hay suficientes o aún no son suficientemente fuertes.

_____ Es inexistente. No es posible realmente hablar de una comunidad en los términos descritos arriba: no hay espacios para los latinos, no hay suficientes personas o no están conectadas realmente, ni hay actividades que estén pensadas para los latinos en Pittsburgh.

A7. ¿Qué cosas crees tú que tienes en común con otras personas de la comunidad latina en Pittsburgh?

A8. ¿En qué cosas sientes que eres diferente?

A9. ¿Qué aprecias más de la comunidad latina en Pittsburgh?

A10. ¿Qué te molesta más de la comunidad latina en Pittsburgh?

B. REDES DE APOYO

Ahora te voy a hacer algunas preguntas sobre las personas que te dan apoyo en tu vida diaria. Al final te voy a pedir alguna información básica sobre estas personas. Los nombres específicos vamos a usarlos solamente durante la entrevista para que podamos entendernos, pero no van a ser guardados para ningún otro efecto. Para proteger el anonimato de estas personas, no vamos a grabar esta sección de la entrevista. **[APAGAR LA GRABADORA]**

B1. Una forma de ofrecer apoyo es a través de ayuda material, como por ejemplo dando dinero o cosas.

B1a. ¿Qué personas crees que estarían dispuestos a ofrecerte este tipo de apoyo?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B1b. ¿Cuáles de estas personas efectivamente te dieron este tipo de apoyo en el último mes?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B2. Otra forma en la que a veces recibimos apoyo es a través de asistencia física, como cuando alguien nos ayuda con algunas de las tareas diarias.

B2a. ¿Qué personas crees que estarían dispuestos a ofrecerte este tipo de apoyo?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B2b. ¿Cuáles de estas personas efectivamente te dieron este tipo de apoyo en el último mes?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B3. Con algunas personas desarrollamos relaciones cercanas, compartimos con ellas nuestros sentimientos y preocupaciones personales a la vez que ellas hacen lo mismo.

B3a. ¿Con qué personas crees que tienes este tipo de relación?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B3b. ¿Con cuáles de estas personas efectivamente has tenido este tipo de interacción íntima en el último mes?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B4. En ocasiones acudimos a ciertas personas específicamente buscando un consejo o una recomendación.

B4a. ¿A qué personas consideras cuando deseas recibir este tipo de apoyo?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B4b. ¿Cuáles de estas personas efectivamente te dieron este tipo de apoyo en el último mes?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B5. Finalmente, con ciertas personas nos reunimos para divertirnos, relajarnos y tener algún descanso de nuestras obligaciones diarias.

B5a. ¿Con qué personas crees que tienes este tipo de relación?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B5b. ¿Con cuáles de estas personas efectivamente has tenido este tipo de interacción en el último mes?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B6. Además de las personas que mencionaste ya en cualquiera de las preguntas anteriores, por favor incluye cinco personas más que consideras importantes en tu vida.

[USAR SCHEDULE PARA RECOGER INFORMACION]

B7. Para cada una de las personas en la lista, ¿qué tan cercana dirías que es su relación?

2 estrechamente relacionado

1 medianamente relacionado

0 no existe relación

[USAR SCHEDULE PARA RECOGER INFORMACION]

B8. Para cada una de estas personas,

B8a. ¿Crees que es fácil que con esta persona tengas problemas/broncas/disputas, o simplemente situaciones incómodas? (Ejemplos, mi compadre siempre me presta dinero y por eso está en la lista, pero muchas veces cuando nos vemos se emborracha y todo termina en pelea o en una situación incómoda; o mi compañero(a) es parte importante en mi vida, pero tenemos una relación difícil y peleamos mucho)

B8b. ¿Has tenido un problema/bronca/disputa, o has estado en una situación incómoda por otra razón, con esta persona en el último mes?

[USAR SCHEDULE PARA RECOGER INFORMACION]

B9. Finalmente, por favor provea la siguiente información sobre cada una de las personas identificadas:

B9a. ¿Cuál es su relación con esta persona? (por ejemplo, padre, compañero de trabajo, etc.)

B9b. Edad aproximada (o exacta si la sabe)

B9c. Hombre o mujer

B9d. País de origen

B9e. ¿Dónde vive? (país y ciudad)

B9f. Idioma materno

B9g. ¿Qué tan bien habla esta persona el inglés/español (el que no sea el idioma materno)?

B9h. Ocupación

[USAR SCHEDULE PARA RECOGER INFORMACION]

C. DEUDAS

[PRENDER LA GRABADORA]

Ahora voy a preguntarte sobre ciertos tipos de problemas comunes que la gente tiene, y te voy a preguntar si has tenido alguno de ellos. En los casos en que sí lo hayas tenido, te voy a preguntar también algunos detalles al respecto.

C1. ¿Alguna vez has tenido problemas de deudas, bien sea que tú debías o que te debían, en los que hayas sentido que ciertos derechos no te fueron respetados? Las deudas pueden ser de dinero o de cosas, pero no exclusivamente. Éstas también pueden ser con personas o con instituciones, por ejemplo un banco, el gobierno, o una empresa.

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

Ahora voy a leer una lista de problemas específicos relacionados con deudas que es común encontrar. Si has tenido alguno de estos problemas específicos por favor házmelo saber. Igual que antes, voy a preguntarle ciertos detalles al respecto.

C2. ¿Has prestado a alguien alguna cosa y no te la ha devuelto?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

C3. ¿Te han cobrado por un servicio más de lo acordado originalmente?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

C4. ¿Has encontrado errores en las facturas (los biles) de servicios públicos?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

C5. ¿Rentas? [SI SI:] ¿el dueño del lugar donde vives ha reclamado que le debes dinero?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

C6. **[SI NO:]** Si eres dueño de tu propia casa, ¿has tenido problemas con el banco que te dio el préstamo?

NO SI **[SI Sí:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

C7. ¿Alguna vez tu jefe te ha retenido el sueldo (o sea, no pagó cuando debía), o te ha pagado menos de lo que te debe, o no te ha pagado sobretiempo?

NO SI **[SI Sí:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

D. DISCRIMINACIÓN

D1. Ahora quisiera preguntarte si desde que vives en Pittsburgh has sufrido alguna vez de un trato injusto debido a tu edad, sexo, raza, religión, lugar de origen, o nivel de ingresos. ¿Recuerdas alguna situación de este tipo?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

Ahora voy a leer una lista de situaciones específicas. Por favor dime si has experimentado alguna de ellas:

D2. ¿Has sufrido alguna vez de un trato injusto al intentar conseguir un trabajo o un ascenso?

SI _____ NO _____

[SI SI:] ¿Con base en qué motivo fuiste tratado de manera injusta?

- ___ Raza
- ___ Edad
- ___ Sexo
- ___ Religión
- ___ Lugar de origen
- ___ Nivel de ingresos
- ___ Otro

D3. ¿Has sufrido alguna vez de un trato injusto al intentar pertenecer a un club u organización?

SI _____ NO _____

[SI SI:] ¿Con base en qué motivo fuiste tratado de manera injusta?

- ___ Raza
- ___ Edad
- ___ Sexo
- ___ Religión
- ___ Lugar de origen
- ___ Nivel de ingresos
- ___ Otro

D4. ¿Al rentar un apartamento?

SI _____ NO _____

[SI SI:] ¿Con base en qué motivo fuiste tratado de manera injusta?

- ___ Raza
- ___ Edad
- ___ Sexo
- ___ Religión
- ___ Lugar de origen
- ___ Nivel de ingresos
- ___ Otro

D5. ¿Al comprar una casa?

SI _____ NO _____

[SI SI:] ¿Con base en qué motivo fuiste tratado de manera injusta?

- ___ Raza
- ___ Edad
- ___ Sexo
- ___ Religión
- ___ Lugar de origen
- ___ Nivel de ingresos
- ___ Otro

D6. ¿Al ser atendido en un restaurante o tienda?

SI _____ NO _____

[SI SI:] ¿Con base en qué motivo fuiste tratado de manera injusta?

- ___ Raza
- ___ Edad
- ___ Sexo
- ___ Religión
- ___ Lugar de origen
- ___ Nivel de ingresos
- ___ Otro

D7. ¿Al participar en actividades sociales o de la comunidad?

SI _____ NO _____

[SI SI:] ¿Con base en qué motivo fuiste tratado de manera injusta?

- ___ Raza
- ___ Edad
- ___ Sexo
- ___ Religión
- ___ Lugar de origen
- ___ Nivel de ingresos
- ___ Otro

E. PROBLEMAS DOMÉSTICOS

E1. Ahora quisiera preguntarte sobre problemas, pasados o presentes, que hayas tenido dentro de tu hogar o familia. ¿Puedes pensar ahora en algún problema de este tipo?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

Ahora voy a leer una lista de problemas específicos que son bastante comunes. Por favor dime si has experimentado alguno de ellos.

Dentro de tu hogar o familia sabes de, o has tenido alguna vez, alguno de los siguientes problemas:

E1. ¿Respecto a la responsabilidad en los quehaceres de la casa?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E3. ¿Con la bebida/alcohol?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E4. ¿Golpes o violencia doméstica a un esposo o esposa, niño o niña, o persona de edad?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E5. ¿Dinero y cómo gastarlo?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E6. ¿Problemas en la familia sobre con quién juegan tus hijos?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E8. ¿Debido a la falta de empleo de alguien en el hogar?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E9. ¿Alguien desea trabajar pero el otro considera que no debe hacerlo?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E10. ¿Alguien en el hogar está trabajando demasiado, o demasiadas horas?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E11. ¿La cantidad de tiempo que pasan fuera del hogar?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E12. ¿Problemas en la familia a causa de otros familiares o personas de la familia política?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E13. ¿Relaciones sexuales extramatrimoniales (infidelidad)?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E14. ¿Ha intentado alguien quitarte tus hijos, adoptarlos, o ponerlos bajo el cuidado de alguien más?

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E15. ¿Has tenido problemas alguna vez con la corte juvenil, la agencia de protección de menores (CYF) o cualquier otra agencia que trabaje con niños?

NO SI **[SI Sí:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E16. ¿Has tenido problemas recibiendo del padre/madre de tus hijos apoyo económico para sostenerlos?

NO SI **[SI Sí:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E17. ¿Has tenido problemas sobre los derechos de visita de tus hijos?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E18. ¿Has tenido problemas sobre la custodia de algún menor?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

E19. ¿Has tenido tú mismo problemas con el alcohol o las drogas?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

F. PROBLEMAS CON LA LEY

F1. Ahora quisiera preguntarte sobre problemas que hayas tenido con la ley. Estos pueden ir desde infracciones de tráfico hasta procesos criminales. Para efectos de las siguientes preguntas, un problema con la ley existe cuando la policía, las cortes o cualquier otra agencia del gobierno se haya visto envuelta (es decir, si cometiste una infracción pero nadie lo supo o nada más sucedió, no existió ningún problema realmente). A la vez, un problema con la ley existe independientemente de la decisión que se haya tomado en el caso (es decir, si se retiran cargos o fuiste declarado inocente, pero hubo todo un proceso, sí hubo un problema). ¿Puedes pensar ahora en algún problema de este tipo?

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA, Y APLICAN:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

Ahora voy a leer una lista de problemas específicos. Por favor dime si has experimentado alguno de ellos. Alguna vez te ha visto involucrado en un problema por:

F2. Infracciones de tráfico:

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA, Y APLICAN:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

F3. Cargos relacionados con drogas:

NO SI [SI SÍ:]

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA, Y APLICAN:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

F4. Ofensas contra propiedad (por ejemplo, robo, estafa):

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA, Y APLICAN:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

F5. Ofensas contra otra persona (por ejemplo, lesiones personales, asalto, delitos sexuales):

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA, Y APLICAN:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

F6. Ofensas migratorias:

NO SI **[SI SÍ:]**

¿Cuándo fue la última vez que sucedió? _____

[SI MENOS DE 2 AÑOS:]

Por favor, describe en qué consistía exactamente el problema.

[SI NO FUERON RESPONDIDAS ARRIBA, Y APLICAN:]

¿Con quién tuviste este problema? ¿Hablaste con esta persona? ¿Cuál crees que fue el origen del problema? ¿Hay algo más que debería saber para entenderlo?

¿Qué crees que estaba en juego en este problema, tanto para ti como para la otra persona? (derechos/valores) ¿Le contaste a alguien sobre este problema? ¿Hiciste algo más con relación a este problema?

¿Por qué hiciste esto y no otra cosa? ¿Consideraste otras opciones?

¿Por cada una de las acciones que tomaste, cuál fue el resultado?

¿Después de que pasó todo, han pasado más cosas que sientes que están relacionadas con este problema?

Muchas gracias por tu paciencia. Respecto a cualquiera de los problemas mencionados en esta larga lista, ¿con quién has consultado o hablado sobre ellos?

F7. ¿Ha hablado con un cura, pastor o líder religioso?

SI _____ NO _____

F8. ¿Has llamado a alguna agencia/programa del gobierno?

SI _____ NO _____

F11. ¿Has ido alguna vez a terapia psicológica?

SI _____ NO _____

F12. **[SI ES MUJER]** ¿Has usado el servicio de “motivadoras” ofrecido a la comunidad latina en Pittsburgh?

SI _____ NO _____

G. PREGUNTAS ABIERTAS

[SI NO SE HA IDENTIFICADO NINGÚN PROBLEMA] Muchas gracias por tu paciencia con esta larga lista de preguntas y casos, aprecio mucho tu cooperación. **[AHORA IR A LA SECCION H, SOBRE USO DE LAS CORTES, p. 307]**

[SI SÍSE HA IDENTIFICADO ALGÚN PROBLEMA]

[REVISAR QUE ESTE FUNCIONANDO LA GRABADORA]

G1. Has sido muy paciente yendo conmigo por todas estas preguntas. Has mencionado algunos problemas que has tenido. Ahora me gustaría preguntarte más sobre uno de estos problemas. Piense cuál de ellos ha sido el más difícil o preocupante para ti. ¿Cuál es?

¿Puedes describir en detalle exactamente qué sucedió?

¿Cómo comenzó?

¿Cuánto duró?

G2. (ACCIONES DEL ENTREVISTADO)

¿Qué hiciste primero? ¿Qué sucedió? ¿Qué hiciste después?

¿Hubo algo que hubieras querido hacer pero que por alguna razón sentiste que no podías hacerlo? ¿Qué era eso que querías hacer? ¿Por qué sentías que no podías hacerlo?

¿Crees que hiciste lo que cualquier otra persona hubiera hecho? (¿Actuaste de manera diferente a como otras personas que conoces hubieran actuado?)

¿Crees que esto mismo le sucede a otras personas? ¿Qué tan a menudo y en qué circunstancias?

¿Cómo te sentiste mientras esto sucedía – ansioso, molesto, frustrado, asustado...?

¿Crees que alguien pensó menos de ti por tener este problema?

¿Crees que alguien pensó menos de ti por la respuesta que diste a este problema?

G3. ¿Con qué personas hablaste sobre tu problema?

¿Qué te sugirieron? ¿Sentiste que estas sugerencias fueron útiles? ¿Estuviste de acuerdo con sus puntos de vista? ¿Te ayudaron a ver la situación de manera diferente?

G4. Cuéntame un poco más sobre las personas/organización con quien tuviste este problema.

¿Cuánto tiempo hacía que conocías a estas personas (o que estuviste relacionado con la organización)?

¿Cómo eran? ¿Cómo actuaban? ¿Qué crees que estaban tratando de hacer o lograr? ¿Qué querían?

¿Cuáles eran sus motivos?

¿Crees que tenían una buena razón para hacer lo que estaban haciendo?

Al final, ¿quién crees que fue responsable por todo?

G5. (RESULTADOS)

¿Cómo te hubiera gustado que se resolviera la situación idealmente? ¿Qué era lo más importante para ti? ¿Había algo más además de esto que mencionaste?

(¿Querías que otras personas supieran que tenías la razón? ¿Querías quedar a par? ¿Sólo querías dejar todo atrás? ¿Querías evitar que esto le sucediera a otros?)

¿Qué te haría sentir que se hizo justicia?

G6. ¿Crees que hubieras podido hacer algo para evitar esta situación? ¿Puedes hacer algo para evitar que suceda nuevamente?

G7. ¿Alguna vez consideraste la posibilidad de llamar un abogado o poner una queja en una corte?

[SI NO] ¿Qué crees que hubiera sucedido? ¿Por qué no usaste al sistema legal?

G8. [SI SI USO EL SISTEMA LEGAL:]

¿Cómo fue tu experiencia en corte (o con un abogado)?

¿Te sentiste bien tratado/a?

¿Te sentiste incómodo en cualquier momento?

¿Sentiste que fuiste tratado en serio?

¿Qué hubieras cambiado de la experiencia?

G9. [SI AUN NO QUEDA CLARO DE LA PREGUNTAS ANTERIORES]

¿Cómo se resolvió finalmente el problema?

¿Estás satisfecho con la situación?

G10. [SI ESTÁ SATISFECHO:]

¿Es porque conseguiste hacer valer tus derechos o porque conseguiste lo que querías, o porque lograste lo mejor que era posible?

G11. [SI ESTÁ DISATISFECHO:]

¿Es porque no conseguiste hacer valer tus derechos o porque no se hizo nada, o porque no te gustó la forma en que todo salió?

G12. ¿Crees que tu condición de inmigrante afectó cómo se desarrolló este problema? ¿Qué crees que habría sido diferente si esto hubiera sucedido en tu país de origen?

H. USO DEL SISTEMA LEGAL Y LAS CORTES

Hasta este momento te he preguntado sobre problemas que has tenido. Ahora te voy a hacer algunas preguntas sobre el sistema legal y las cortes.

H1. ¿Alguna vez has estado en una corte en los Estados Unidos, pero no como empleado?

SI _____ NO _____ [PASAR A H11, p. 309]

[SI SI:]

H2. ¿Era una corte federal? SI _____ NO _____

H3. ¿Era una corte del estado de Pennsylvania? SI _____ NO _____

H4. ¿Has estado en una corte en otro estado? SI _____ NO _____

H5. ¿En qué tipo de corte has estado? Voy a leer una lista de cortes, por favor dime en cuál(es) has estado. También, por favor dime si estabas como acusado/demandado, demandante, testigo, visitante o por otro motivo.

	parte	testigo	visitante	jurado	otro	estado
"people's court" – tráfico	no	si				
"people's court" – vivienda	no	si				
"people's court" – civil	no	si				
"people's court" – criminal	no	si				
"people's court" – matrim.	no	si				
(Trial) Corte - Civil	no	si				
(Trial) Corte - Criminal	no	si				
(Trial) Corte de Familia	no	si				
Corte Juvenil	no	si				
Corte de apelaciones	no	si				
Corte de inmigración	no	si				

H6. ¿Sobre qué era el caso?

H7. Cuéntame un poco sobre tu experiencia en la corte.

H8. ¿Cómo describirías tu reacción a esta experiencia?

favorable	_____
neutral	_____
desfavorable	_____
indeciso	_____

[SI RESPUESTA ES NEUTRAL O INDECISO, IR A H10]

H9. ¿Por qué es tu reacción favorable/desfavorable?

H10. ¿Te sentiste incómodo(a) en cualquier momento del proceso?

H11. Voy a leer una serie de afirmaciones sobre las cortes en los Estados Unidos. Usando la escala en la tarjeta que te estoy entregando [ENTREGAR TARJETA 1 - VIOLETA], por favor dime hasta qué punto son aplicables para tu situación. [EXPLICAR CADA UNA DE LAS OPCIONES]

1. ¿Es esta una buena descripción de su situación?
 2. ¿Es esta una descripción aceptable de su situación?
 3. ¿Es esta una mala descripción de su situación?
 4. No sabe
-
- a. ____ Nunca he tenido que usar las cortes de Pennsylvania.
 - b. ____ En alguna ocasión quise ir a la corte pero no tuve el dinero suficiente para hacerlo.
 - c. ____ En alguna ocasión quise ir a la corte pero no tuve el tiempo suficiente para hacerlo.
 - d. ____ No sé cómo conseguir un buen abogado.
 - e. ____ No recibiría un trato justo en las cortes.
 - f. ____ No entiendo cómo usar el sistema de cortes.
 - g. ____ Prefiero no involucrarme con el sistema legal.
 - h. ____ Prefiero arreglar mis problemas de manera informal, en vez de a través del sistema legal.
 - i. ____ Me da miedo involucrarme con el gobierno.
 - j. ____ Tuve un problema pero no fui a la corte porque la otra persona no tenía ningún dinero que yo pudiera recuperar.
 - k. ____ Me da miedo que un proceso en la corte exponga mi vida personal.
 - l. ____ En alguna ocasión no fui a corte pues me daba miedo la otra persona.

H12. Si surgiera la necesidad, ¿usarías alguna de las cortes de Estados Unidos?

SI _____

NO _____

¿Por qué no?

H13. ¿Conoces personalmente a alguien que sea:

_____ Abogado

_____ Funcionario de la corte

_____ Policía

_____ Juez

_____ Oficial electo local, del condado, estatal o federal (alguien elegido por votación)

_____ Empleado del gobierno local, del condado, estatal o federal

_____ Otro [ESPECIFICAR] _____

_____ Ninguno de los anteriores

H14. ¿Tienes una licencia de conducción válida de los Estados Unidos?

SI _____ NO _____

H15. ¿Has consultado alguna vez un abogado?

SI _____ NO _____ [IR A H22]

[SI SI:]

H19. ¿Cuántas veces en los últimos cinco años?

H20. ¿Cómo localizaste al abogado?

H21. ¿Por qué viste a un abogado?

H22. ¿Conoces a alguien que haya ido a corte?

SI _____ NO _____

H23. ¿Esta persona te ha comentado sobre su experiencia?

SI _____ NO _____ [IR A H25, página siguiente]

H24. ¿Qué te dijo?

H25. ¿Has sido alguna vez víctima de un crimen?

SI _____ NO _____

[SI SI:] Por favor cuéntame un poco sobre las circunstancias y qué hiciste o dejaste de hacer.

H26. ¿Has llamado alguna vez a la policía?

SI _____ NO _____ **[IR A H31]**

[SI SI:]

H27. ¿Cuántas veces en los últimos cinco años? _____

H28. ¿Sobre qué?

H29. ¿Qué sucedió?

H30. ¿Cómo terminó todo?

H31. ¿Alguna vez has puesto una queja con una agencia del gobierno en contra de alguien más, por ejemplo poniendo una queja como consumidor o por una violación de las normas de vivienda (housing)?

SI _____ NO _____ **[IR A H33, página siguiente]**

H32. ¿Sobre qué?

H33. ¿Alguna vez has puesto una queja en contra de una agencia del gobierno, por ejemplo del sistema escolar, seguridad social o asistencia social (welfare)?

SI _____ NO _____ **[IR A H35]**

H34. ¿Sobre qué?

H35. Si la policía te tratara de manera injusta, ¿qué haría?

¿Con quién te quejarías?

H36. Si un juez te tratara de manera injusta, ¿qué harías?

¿Con quién te quejaría?

H37. Si un abogado te tratara de manera injusta, ¿qué harías?

¿Con quién te quejarías?

H38. Como ya expliqué antes, este proyecto se refiere a los recursos que tenemos disponibles los latinos para resolver nuestros conflictos. Según tu propia experiencia en Pittsburgh y los Estados Unidos en general, ¿qué consideras tú que es lo más importante que yo debería saber para entender mejor cuál es tu experiencia como persona, y como miembro de la comunidad latina, de las leyes y cortes de este país.

J. LENGUAJE

J1. ¿Es el español tu idioma materno?

SI _____ NO _____

¿Cuál? _____

J2. ¿Puedes leer en español?

SI _____ NO _____

J3. ¿Puedes escribir en español?

SI _____ NO _____

J4. ¿Puedes entender el inglés?

Muy bien _____ Bien _____ Algo _____ No _____

J5. ¿Puedes hablar en inglés?

Muy bien _____ Bien _____ Algo _____ No _____

J6. ¿Puedes leer en inglés?

Muy bien _____ Bien _____ Algo _____ No _____

J7. ¿Puedes escribir en inglés?

Muy bien _____ Bien _____ Algo _____ No _____

J8. ¿Qué idioma hablas con tu familia en casa? _____

J9. ¿Alguna vez has necesitado un intérprete?

SI _____ NO _____ [IR A J12]

J10. ¿Bajo qué circunstancias has necesitado un intérprete?

J11. ¿Conseguiste uno?

SI _____ NO _____

J12. ¿Alguna vez has tenido dificultades con el idioma al comunicar un problema a alguien, por ejemplo al describir un problema de salud a un doctor, una enfermera, o alguien en una institución pública?

Siempre _____ Algunas veces _____ Ocasionalmente _____ Nunca _____

J13. Cuando tienes que llenar formularios de cualquier tipo (impuestos, servicios), ¿tienes alguna dificultad entendiendo en qué consiste el formulario, o qué información se requiere?

Ninguna (fácil) _____ Algo (un poco confusas) _____ Mucha (no las entiendo) _____

K. INFORMACIÓN DEMOGRÁFICA/SOCIOECONÓMICA

Muchas gracias, has ayudado mucho con esta entrevista. Te agradezco de nuevo haber aceptado participar en este estudio y no quiero hacerlo más largo de lo necesario. Tengo solamente unas pocas más preguntas sobre el tamaño de tu familia, educación y cosas así.

K1. **[ESCOGER]** Hombre _____ Mujer _____

K2. ¿Cuántas personas viven en tu hogar? _____

K3. ¿Cuántos niños hay?

Menores de 6 años _____

Entre 6 y 12 años _____

Entre 13 y 17 años _____

Total de niños _____

K4. ¿Trabajas actualmente?

SI _____ **[IR A K7]** NO _____

K5. ¿Estás retirado?

SI _____ NO _____ **[IR A K9, página siguiente]**

¿Cuál fue tu ocupación anterior? _____ **[IR A K9, página siguiente]**

K6. ¿Cuál es tu ocupación? _____

K7. ¿Trabajas tiempo completo, medio tiempo, o varios trabajos?

Medio tiempo _____ Tiempo completo _____ Varios _____

K8. ¿Cuántas horas a la semana trabajas? _____ horas

K9. Actualmente estás:

- ___ Casado
- ___ Viviendo con alguien
- ___ Viudo(a) **[IR A K15]**
- ___ Divorciado **[IR A K15]**
- ___ Separado **[IR A K15]**
- ___ Soltero, nunca casado **[IR A K15]**

K10. ¿Está tu esposo(a) o compañero(a) empleado actualmente?

SI _____ **[IR A K12]** NO _____

K11. ¿Está retirado(a)?

SI _____ NO _____

¿Cuál fue su ocupación anterior? _____ **[IR A K15]**

K12. ¿Cuál es su ocupación? _____

K13. ¿El/ella trabaja tiempo completo, o medio tiempo, o varios trabajos?

Medio tiempo _____ Tiempo completo _____ Varios _____

K14. ¿Cuántas horas a la semana trabaja él/ella? _____ horas

K15. ¿Con qué grupo religioso te identificas? _____

K16. ¿Con qué frecuencia vas a servicios religiosos?

- ☐ nunca
- ☐ menos de una vez al año
- ☐ aproximadamente 1-2 veces al año
- ☐ varias veces al año
- ☐ una vez al mes
- ☐ 2-3 veces al mes
- ☐ casi todas las semanas
- ☐ todas las semanas
- ☐ varias veces a la semana
- ☐ no sé

K17. ¿Cuál es tu edad? _____

K18. Mirando la tarjeta que acabo de entregarte **[ENTREGAR TARJETA 2]**, cuál es el grado más alto de educación que has recibido? Por favor dime solamente la letra que está asociada con los años de estudio que has tenido.

Educación: _____

K19. Mirando la tarjeta que voy a entregarte, ¿puedes decirme la letra junto al grupo que mejor describe tus ingresos en el año pasado (2008), antes de impuestos? **[ENTREGAR TARJETA 3 a, b o c SEGÚN PREFERENCIA]** Solamente dime la letra.

Ingresos personales: _____

K20. Usando la misma tarjeta, ¿en cuál de estos grupos está ubicada la totalidad de los ingresos de tu familia, incluyendo todas las fuentes de ingresos, el año pasado (2008)? Solamente dime la letra.

Ingresos familiares: _____

K21. En la tarjeta que te estoy entregando puedes encontrar las categorías de raza usadas en el último censo. ¿Con cuál de ellas te identificas? **[ENTREGAR TARJETA 4 - AZUL]**

Raza: _____

[SI o. (ninguno)] ¿Por qué?

[SI n. (otra raza)] ¿Cuál? _____

K22. ¿Te identificas como Latino o Hispano?

SI _____ NO _____

¿Por qué?

[SI NO] ¿Te identificas con algún otro grupo étnico (maya, zapoteco, guaraní)? _____

K23. Mirando la tarjeta que te estoy entregando, ¿bajo qué estatus legal entraste por primera vez a los Estados Unidos? **[ENTREGAR TARJETA 5 - BLANCA]** Por favor dime solamente la letra al lado de la descripción que mejor explica tu situación.

Estatus primera entrada: _____

K23. ¿Bajo qué estatus legal entraste la última vez que lo hiciste a los Estados Unidos? Por favor dime solamente la letra al lado de la descripción que mejor explica tu situación.

Estatus última entrada: _____

K24. ¿Bajo qué estatus legal te encuentras actualmente en los Estados Unidos? Por favor dime solamente la letra al lado de la descripción que mejor explica tu situación.

Estatus actual: _____

HORA DE FINALIZACION DE LA ENTREVISTA: _____

APPENDIX B

LEGAL STATUS CATEGORIES

Table 21: Legal Status Categories in the United States

Legal Status	Description
Naturalized Citizen	Foreign citizen or national who has been granted U.S. citizenship
Lawful Permanent Resident (LPR)	Non-U.S. citizen under legally recognized permanent residence. Also known as “green card holder”
Visa holder (select types)	Non-U.S. citizen who legally entered to, and remains in, the United States with a visa
A visa:	foreign government officials, families, and employees
B visa:	Temporary visitors, business and pleasure
Diversity Visa:	lottery system
E visa:	treaty traders and investors
EB-5:	immigrant investors
F visa:	students and exchange visitors, and families
G visa:	Representatives to international organizations, families and employees
H visa:	Temporary workers and trainees, families
H-1B:	specialty occupations
H-2A and H-2B:	seasonal agricultural and nonagricultural workers
H-3:	industrial trainees
IR visa:	immediate relative of a US citizen (spouse, child, adoptive child)
CR-1:	conditional resident, for spouses married for less than 2 years
J visa:	exchange visitors and families
K visa:	fiancés of us citizens, and families
L visa:	intracompany transferee and families
M visa:	vocational students and families
O visa:	extraordinary ability, temporary
P visa:	athletes and entertainers, families
R visa:	religious occupations
S visa:	aliens assisting law enforcement
SIJS:	special immigrant juvenile status: children dependent of juvenile court who could be harmed if returned
T visa:	victims of human trafficking
U visa:	victims of qualifying criminal activity
Visa overstay	Non-U.S. citizen who legally entered to the United States with a visa, but has overstayed the legal duration of entry
Undocumented	Non-U.S. citizen who entered the United States without proper documentation

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